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PROCEEDINGS

OF THE

PROVINCIAL COURT OF MARYLAND

1678-1679

COURT SERIES

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LETTER OF TRANSMITTAL

To the Maryland Historical Society:

LADIES AND GENTLEMEN:

This volume of the Provincial Court proceedings 1678-1679, is Volume LXVIII of the *Archives of Maryland* and Volume 13 of the sub-series on the courts. The ninth volume on the Provincial Court, it begins on October 8, 1678 and ends, on October 16, 1679, with the definite end of Liber NN. Like its predecessors, it was set directly from photostats of the original liber in the Land Office in Annapolis, and it reproduces, as exactly as a good modern press can do it, the contents of that manuscript book. Since courts and clerks do not change much in the course of one year, much that was said in previous letters of transmittal and previous introductions does not need to be repeated here. This Volume LXVIII begins in the middle of folio 674, Liber NN and ends with Clerk Painter's notation in the middle of folio 904, the last, "Finis huius libri."

At the end of the numbered pages of NN there are thirty-five unnumbered pages: these make up an index of sorts to the cases in the liber. This index is reproduced at the end of the text under the title "A Contemporary Index."

Volume LXIX, on which work has already been begun, continues the work of the Provincial Court. It begins on October 7, 1679, and thus overlaps the end of this Volume LXVIII. It will end April 26, 1681.

Dr. J. Hall Pleasants died in Baltimore on August 24, 1958. The love and respect he enjoyed in his life—and he did enjoy it—mean that those who knew him know well what they have lost.

Respectfully submitted,

CHARLES ALBRO BARKER,
Chairman of the
Publications Committee
AUBREY C. LAND
ROBERT G. MERRICK
HARRISON TILGHMAN

INTRODUCTION

This volume, LXVIII, begins on October 8, 1678 and ends, with the end of Liber NN of the proceedings of the Provincial Court, on October 16, 1679. "Finis huius liber.", says Clerk Nicholas Painter. The jurisdiction of the Court remains substantially as it had been. All important cases had to originate in the Provincial Court, and minor cases might be heard there, if the Court wanted to hear them. Cases appealed from county courts came to the Provincial Court, whether on appeal or on writ of error. After November 1678 the person appealing the county court decision had to give bond in double the sum from which he was appealing to pursue the appeal and to pay the judgment, if the Provincial Court sustained the lower court (*Archives* VII, 70-71). There are, in these pages (*post,* 156, 244), examples of that kind of bond. As to chancery cases, though the Court of Chancery had been set up in 1669, the same men served in both courts, and both had the same clerk. It is, therefore, not surprising that cases begun in one court sometimes appear later in the other (*post,* 80, 210).

In 1678 the justices of the Provincial Court were still members of the Upper House of Assembly and of the Council, and justices of the Probate Court and of the Chancery Court. For none of these offices did they get any salary. Most of them, however, were wealthy holders of much land, and most of them held some other well-paid office. In this period ten different men appeared as justices, though nothing like all of them were present at any one session of the Court. Philip Calvert, uncle of the Proprietary, was, besides being a justice, chancellor and commissary general, and he held these lucrative offices until his death in 1682. As Justice of the Court, he was present at every session, and he gave time to its other businesses. William Calvert, son of Governor Leonard, and therefore cousin of Charles, third Lord Baltimore, was principal secretary in addition to being justice. As secretary, he had a large and complicated revenue, for he was keeper of the Provincial Court records and of the land records, and he was also chief notary public. Like his uncle, Chancellor Phillip, he was present at every sitting of the Court. Baker Brooke was surveyor general until his death in office in March 1678/9. He attended the Court until he died. Henry Coursey, who had been commissioned a justice in 1660 (*Archives* III, 394), served regularly until 1670 (*ibid.* XLI, 507). At that time he disappears and does not return to sit until 1676 (*ibid.* LXVI, 315), although he may well have been held to be a member. He was made surveyor general in 1673, but, since he lived and flourished on the Eastern Shore, he resigned his surveyorship. In these sessions of the Provincial Court, he appears but once (*post,* 1). He was, at this time, giving much attention to the affairs of Kent and of Talbot County. It was not that Coursey moved from one county to the other, but that Talbot County was created out of Kent some time in early 1662. Like several of the other counties, Talbot's erection was not marked by any official edict. In April 1667 Col. Coursey was commissioned to make a treaty with the Susque-

hanna Indians, and to join Virginia and New York in making a treaty with the Five Nations in New York (*Archives* XV, 149-153), so that he was out of the Province. Benjamin Rozer, appointed to the Court in April 1677 (*Archives* LXVI, 424), was no longer receiver general of the Proprietary or sheriff of Charles County. He came to Court regularly, and he also appeared on the other side of the bench as attorney for clients. He died in 1681.

Thomas Notley was governor of the Province at the time these proceedings open, and he was therefore chief justice, but he does not come to court. He got along harmoniously with the Assembly, so much so that they wanted to give him a present. "This [Lower] howse having taken into their Consideracon the greate Trouble & Charge the hono^ble^ the Gou^r^no^r^ is at in Coming to St Maryes about the Country busines are desirous as a Token of their love Respect and Esteeme for his hono^r^ to p^r^sent him wth somewhat that might be acceptable fo his hono^r^ but wth all considering the Poverty of the Country, & the greate Charge this yeare, This howse thinke that to p^r^sent his hono^r^ with any thing worth his acceptance the Country is not able now [to do] it, but in the meane time . . . [this ho]wse humbly desire his hono^r^ to accept of 20000^l^ of Tob: out of the pu[blic] leavy this present yeare, and desire the concurrence of the upp how[se in this] vote." The Upper House readily concurred. Governor Notley thanked the Assembly: he believed it came from cordiality "and out of a true Respect unto my pson" and he would put on it a value higher than its intrinsic worth (*Archives* VII, 47-48). When Governor Notley died, in April 1679, the Proprietary was in Maryland, and he himself took over the governorship (*post,* 113) as captain general.

This year three justices of the Court were sworn in, Col. Vincent Lowe, Lt. Col. Henry Darnall and Col. Wm. Stevens (*post,* 5, 136, 240). Lowe was surveyor general, and he had been attorney general and also sheriff of Talbot County. He was also party to several suits before the bench on which he later sat. But that was not unusual. One of the suits was brought against his bond as sheriff., and the Proprietary, by the attorney general, made out such a good case that Sheriff Lowe could find nothing to say in bar (*post,* 119-120). That was March 14, 1678/9, yet less than three months later, on June 3, 1679, he was sworn in as justice (*post,* 156), and he sat on the Court for the only session after that (*post,* 240). Of course, Vincent Lowe was brother-in-law of the Proprietary, and uncle of later Lords Baltimore. Col. Henry Darnall was sworn in at the same time as Col. Lowe, and at the October 1679 session, Col. William Stevens of Dorchester County, naval officer of the Pocomoke District, joined the Court. He had been sworn in as a member of the Council on October 7, 1679 (*Archives* XV, 260), so that he was automatically a justice. He had been doing yeoman service on the Eastern Shore against the Indians (*ibid., passim*). Thomas Taillor, also of Dorchester County, who had been councillor and justice since 1673 (*Archives* XV, 23; *ibid.,* LXV, 91), was present in Court on March 6, 1678/9 (*post,* 80). He was also in Court on the other side of the bench by attorney on June 6, 1679, to answer the suit of John Burnham (*post,* 159-160). And the councillor-justice lost the suit.

Of these ten men, the most that attended any one session is five (*post,* 80,

156, 240). The smallest number that could constitute a court was three (*Archives* III, 53), and sometimes the Court had to be adjourned and then adjourned again because there were not enough justices present to make a court. The Court sat, as usual, every three months except in midsummer, and except on Sunday and on Monday (*Archives* III, 546). In theory every justice was obliged to be present every day, upon pain of a 40-shilling fine, but in practice sometimes there was but one justice on hand, so that the Court adjourned from day to day, and sometimes from one day until the following session (*Archives* LXVI, 390). Not only did the justices have to appear; they had to come, each "wth his ribon and medle upon paine of a Noble [a gold coin worth 6/8] for euery default to the Lord Prop^r^" (*Archives* III, 547). So the Proprietary himself had said (*ibid.*, XV, 16).

The clerk of the Court, who was also clerk of the secretary's office and register in chancery, was Nicholas Painter. He had been sworn in, in February and in April, and he remained in office until 1680. As clerk of the Court, his duty was to keep the record of proceedings: he could do the work himself or employ deputies—at his own expense. He had and used latitude in making up the record from his minute book (*Archives* XX, 314). Often he groups several cases in which the point at issue was the same, even if they do not follow in chronological order. On page 146 *post,* for example, he enters five cases from four different counties, in which the sheriff returns that the defendant is not to be found in his bailiwick. Again and again he records five or six cases of the allowance of witness fees (*post,* 47, 69, 78, 111, 120), or of the reply by the defendant that he can say nothing in bar of the claim of the plaintiff (*post,* 31-34). Too often, though, he just makes errors. He leaves out words which make the sense uncertain (*post,* 39), or he writes Solomon instead of Rosamond (95) or Job instead of John (52). And he follows folio 675 with 677 (*post,* 1-2).

In all there were seventeen different men who appeared in the Provincial Court as attorneys. There were, to be sure, attorneys in fact, agents who looked after a man's interests but did not represent him in court (*post,* 170). But these others were attorneys at law, sworn in at earlier sessions or at these (*post,* 121, 219), and henceforth entitled "to the liberties & priviledges to such like Attorneys & other Officers & Ministers of the same Court used & allowed . . ." (*post,* 121). Attorneys duly sworn in were officers of the Court, and when the justices consulted them, they were consulting their own associates. When, in 1694, the governor and council were debating the organization of a court of appeals, it was "Resolved that the Kings Attorny Gen^ll^ wth the rest of the Attorneys now in Towne be sent for imediatly to give their Advice & Opinion about the same" (*Archives* XX, 135-136; XIX, 40). Of the seventeen attorneys now practicing, only half had many cases, and five or six of them handled the greater number. Kenelm Cheseldyn, his Lordship's attorney general had fifty-two cases in his private capacity, in addition to eight in which he represented the Proprietary. Robert Ridgely had more than eighty cases; in one of them he sued a former client for his attorney's fee. What seems odd to a present-day lawyer is that the justices could and did represent clients before the court of

which they were members. In October 1678, "came Benjamin Rozer Esqr the Attorney of the said Dominick Bodkin & one of his Lordpps Justices of this Court here p^rsent in Court in his proper person . . . And saith nothing in barr of the action" (*post,* 32) of the plaintiff. A plea of nothing in bar is a perpetual destruction of the defendant's case, and is, in effect, a confession of guilt. So the justice-attorney was defending a guilty client.

The sheriff continued to be as important as he had been, much more important than he is today. Three members of the Court were sheriffs in their counties, and other sheriffs were well-paid and important. Benjamin Rozer, sheriff of Charles County from 1675 to 1678, was a member of the Council and hence a justice from 1671 for ten years. Henry Darnall was sheriff of Calvert County from 1674 to 1676 and again from 1677 to 1679: he was councillor and justice from 1679 for ten years. Vincent Lowe was sheriff of Talbot, councillor and justice and surveyor-general. Some of the sheriffs were also attorneys before the Court, though they were barred from taking cases that arose in their own counties (*Archives* II, 322-323). By 1678 complaints from all parts of the Province "of the great absurdities and abuses Comitted by severall Sheriffes" upon the inhabitants were so frequent and so frequent that the Assembly took action. By an act "for the elleccōn of Sherriffe" it was declared that "no Sheriffe or vndersheriffe of any County . . . shall Continue . . . in . . . office . . . for any longer or greater time than one whole yeare from the first time of his Entrance into such office . . . vnless that such sheriffe . . . shall procure from their respective County Courts a Certificate of his . . . Iust Execucōn of their offices the preceeding heare" (*Archives* VII, 68-69). When the sheriff was party to a suit, either personally or officially, the coroner took the action normally taken by the sheriff. When Sheriff Vincent Lowe of Talbot sued Thomas Vaughan, Coroner George Robins was ordered to arrest Vaughan, and to the writ he returned a *cepi.* "And the Defend^t not appearing this Court, the said George is amerced forty shillings and ordered y^t he have the body of the Defend^t here att the next Provinciall Court" (*post,* 30, 218, 226). This is exactly the treatment given a sheriff when the parties were private persons (*post,* 190). The sheriff was the custodian of persons, although he did not always have to keep them in prison. A few years back a prisoner in the custody of the sheriff of St. Mary's County petitioned the Court to transfer him to the custody of the Calvert County sheriff "he being there neere his businesse and that he may thereby Sell his goods to the best advantage", and another prisoner asked leave to remain in the custody of the Calvert County sheriff "by which means he may the Sooner be capable of Satisfieing the debt due" (*Archives* LXV, 471, 548). Generally the residence of the sheriff served as the County jail (*post,* 192-193). John Sanders was remanded to the sheriff of Charles County to be kept in safe custody, and Sheriff Chandler "had held and detained" Sanders at his dwelling (*ibid.*).

No grand juries were summoned at this time, for there were no criminal cases to be heard. Of civil cases, almost thirty were tried by petit juries. Sometimes the parties to a civil suit chose to be tried by the judges alone. The defendant put himself upon the judgment of the Court and the plaintiff also

(*post,* 14, 46, 97, 182, 189, 211). When one of the parties to a suit put himself upon the country and the other party also, the next step was the command to the sheriff of St. Mary's that "he cause to come here twelve &c by whom &c and who neither &c To recognize &c because as well &c." The sheriff got a hundred and twenty pounds of tobacco for summonsing a jury (*Archives* II, 532; *post,* 39-40). In addition to trial juries there were other kinds. When the Court awarded damages to one party but did not know how great those damages ought to be, it ordered the sheriff to "cause to come here . . . twelve good and lawfull men of his county diligently to enquire what damages" the party who gained the verdict had sustained (*post,* 74, 76, 137, 139, 152, 202-203). Invariably the Court considered that the damages should be the amount the jury recommended. Sometimes a jury would be summonsed to decide the partition of a tract of land, but there were no cases like that at this time.

Though there is little to be said now about the quality of the jurymen, there is no reason to believe that in one year it rose substantially. Richard Hodgson served on a jury eight times, so that he must have been satisfactory. Yet, when the sheriff of Charles County went to arrest Hodgson at the suit of John Addison, he reported "that the Defend^t^ is not to be taken by reason he keepes himselfe upon his Guard, swearing the death of any person that shall attempt to come in upon him" (*post,* 147). That did not deter the plaintiff and his attorney: they got an attachment against his goods and chattels. As to the ability of the jurors to read and write, nothing is known: there are no marksmen, but then there are no documents to be signed. Generally the same men served again and again on juries: the clerk even entered their names in the same order. Richard Boughton and the brothers Doxey served on ten juries in the course of this one year. In several cases, though, the jury contained not one man who had served on another jury (*post,* 202). Was this a blue-ribbon jury?

Even more than in earlier years, most of the cases heard were original. There are no criminal cases, although one man sued another for damages following an assault and battery (*post,* 197-198). There were only five cases on writ of error, and three on appeal. There was a difference between appeals and writs of error. On a writ of error, only questions of law can be examined, and the court will not go into the matter of possible errors on points of fact. On appeal, the upper court will consider matters of fact as well as matters of law, and may examine the case as if it had not been tried before. That is the theory, and in most courts it is the practice as well. Here, though, the Assembly, by an act passed in 1678, substantially wiped out the difference between the two (*Archives* VII, 71-73). All appeals "shall from hence forth by the Provinciall Court of this Province be admitted and allowed of in nature of a writt of Error." For the future there was to be no new trial under an appeal, even though both processes were used. At this time there was one trial on writ of error, and several which had come in to the Court were continued or imparled. In the case of Ralph Fishborne *v.* Humphrey Davenport, Davenport, a chirurgeon, sued Fishborne for medical care, and the Talbot County court ordered that

Fishborne pay the chirurgeon 1230 pounds of tobacco and costs. Fishborne prayed for and was granted a writ of error directing the county court to send the entire record up to the Provincial Court. In the Provincial Court, Fishborne's attorney alleged seven errors. The Court saw, understood and diligently considered them, decided that there had been error, and directed that the judgment should be reversed. The errors alleged are given in full in the text (*post,* 172-173).

There was one case decided on an appeal. In 1678 the Widow Ann Jones got a judgment in the Calvert County Court against a storekeeper, John Staynes. Staynes appealed the judgment to the Provincial Court. When, after several delays, it came up for trial, Defendant Anne "came not to defend the same [the appeal], Whereupon itt is ordered by the Court here . . . that the Recognizance entred into by the said John Staynes & his Sureties for prosecuteing the Appeale aforesaid & the judgm^t aforesaid be & is hereby adnulled & made void." (*post,* 244). There was another case between Staynes and the Widow Jones at this time, but it arose originally in the Provincial Court and it was settled there (*post,* 8-9).

The case of John Edmondson *v.* Mary Tilghman turns on that rare happening, an appeal from the Provincial Court to the Upper House of Assembly. Since all the justices were members of the Upper House, even if not all the members of the Upper House were justices, it is hard to see why parties to a suit would appeal from one body to the other, but here they did. Richard Tilghman and John Edmondson, who had gone bail for Ralph Blackhall when John Quigley sued him, had judgment given against them when Blackhall did not pay, judgment for 96, 123 pounds of tobacco. Tilghman died, and his widow and executrix bargained with Edmondson to pay half the costs, if he prosecuted an appeal from the judgment of the Provincial Court to the Upper House. He did sue out a writ of error, and the Upper House did reverse the decision of the Provincial Court. In the Upper House there were present the two Calverts, Baker Brooke and Thomas Taillor, all active justices of the Court. The bail was ordered to be discharged, and each party was to pay his own costs. The judgment of the Provincial Court as to Blackhall was sustained (*Archives* II, 502, 505, 506). Mrs. Tilghman did not pay her half of Edmondson's expenses, and he had to sue her for it (*post,* 18-20).

IMPORTANT CIVIL CASES

No criminal cases are heard at this time, but there are hundreds of civil cases. Of these there are many to interest the legal or the social mind, or the irreverent modern. The background of most of them was some form of debt, whether the obligation was written or unwritten. In the short space of a year covered by these proceedings there were more than fifty writings obligatory produced in court by plaintiffs who had not been able to collect the tobacco called for. With but one or two exceptions all the writings obligatory called for tobacco. In one case where the bond called for the payment of lawful money of England, the plaintiff was a London saddle-maker, who might well have preferred sterling over tobacco (*post,* 205). In another case the defendant

"the Honble Thomas Taillor Esqr one of the Justices of this Court" had promised to pay a Virginia merchant.

There were several cases involving land, cases of ejectment to try title. Although not all of them occurred at the same time, the clerk, using his discretion, grouped them together just the same. They followed the familiar pattern. The owner of the title, who might or might not have possession, leased the land to someone. That lessee entered onto the land, and was ejected therefrom by the casual ejector. Then the lessee to whom the holder of the title had demised the land sued the casual ejector. The Court ordered that "Unless the tenant in possession or they under whom he claimeth doe the next Provinciall Court appear to this Declaracōn, & make him or themselves defend^t^ thereunto, & by rule of Court confesse the Lease Entry & Ejectm^t^ & insist only upon the title, the def^t^ . . . will confesse judgm^t^ & possessio will be deliuered accordingly to the plaintiffe." (*post,* 142, 223, 224, 225). Sometimes, to be sure, the usurper did not give in easily. Bernard Johnson, a German or Dutch cooper, settled himself on land owned by Mrs. Elizabeth Letchworth, and he refused to leave when she ordered him off, even when she did so in the presence of witnesses. So she leased the land to Edward Ball, a Calvert County planter, and Johnson ejected Ball after he had taken possession. Ball sued Johnson, and, when Johnson failed to appear at the time and place set for the trial, the Court awarded Ball the manor, messuage and land for the time of his lease, and gave him, too, a writ of enquiry of damages because of Johnson's actions. The jury to enquire into damages declared that Johnson should pay Ball 2500 pounds of tobacco, with costs, and of course awarded judgment for the 2500. Sheriff Darnall reported, October 8, 1678, that he had put Mrs. Letchworth in possession, but her attorney told the Court that Johnson had re-entered forcibly the same day, and that he had kept possession of the dwelling house. The Court ordered that any two Calvert County commissioners should forcibly remove Johnson, and restore Mrs. Letchworth (*post,* 58). We do not now know whether the persistent cooper was finally discouraged.

SERVANTS

Concerning servants there is nothing new in this period of a year. There is only one case in which a servant was unlawfully absent from the service of her master, and there, though the woman was gone for three hundred and sixty-five days, and should, by act of Assembly, have served ten days for every day's absence, the jury and the Court declared her not guilty and set her free (*post,* 35). There were only two petitions for freedom, and, in both cases the Court took the side of the servant (*post,* 46, 202). Yet servants were still chattels, subject to replevin just as if they had been unliving merchandise. Thomas Pattison took a manservant named Rowland Morgan "of the Goods & Chattels" of Thomas Harris, and detained him until Harris had the man replevied by the Dorchester County sheriff. When Harris sued Pattison for 4000 pounds of tobacco, the defendant said nothing in bar of the action, and the Court ordered a writ of enquiry of damages. The result of the writ is not now known (*post,* 60-61).

One case of a servant involves as the defendant a justice of the Court, though, so far as the record shows, he was not present in person at the trial. Thomas Taillor of Dorchester County "bought had & received of . . . John Burnham [a Virginia merchant] one man Negro of the age of sixteen yeares or thereabouts In consideracōn whereof the said Thomas Taillor did assume upon himselfe & . . . did faithfully promise, that he . . . for the said Negro man the Sum̃e of twenty & five pounds lawfull money of England would well & truely pay. . . ." But he did not pay, and Burnham sued him for £30 sterling. Taillor pleaded *non-assumpsit,* and both parties prayed a jury trial. The jury said Taillor did promise, and awarded Burnham £25 sterling, the sum he said Taillor had promised to pay. Taillor, who appeared by attorney, did not plead the liberties and privileges, though his membership on the Court was set forth in the memorandum (*post,* 159-160).

Not all the servants whose cases appear in these pages were indented or indentured: some of them contracted with another person to work for him for wages. John Blomfield, St. Mary's County innkeeper and attorney, and once clerk of the Provincial Court, made, signed and sealed a contract for service with Robert Dowlan, origin unknown. Dowlan agreed to serve Blomfield "in such imployment as he the said Robert is or should be capable of" from March 12, 1677/8 until October 31, 1678. For this service Blomfield said he would provide meat drink washing and lodging, and would also pay Dowlan three hundred pounds of tobacco a month. To this agreement a most unusual provision was added. The servant should have the "privilege of a freeman as to buying bartering and dealing with any person within this Province, any Law or Act of Assembly to the contrary notwithstanding" (*post,* 201). The act of Assembly of 1676 relating to servants and slaves provided that, because servants had been stealing and selling their master's goods, "noe person whatsoever shall Trade barter Comerce or any wayes deale with any Servant . . . without leaue or Lycence first had . . . from Such Servants master mistris or Dame or Overseer . . . vnder the penalty of two thousand pounds of tobacco" (*Archives* II, 526-527). Blomfield was willing to waive this restriction in Dowlan's case, but he seems to have been slow in paying him the three hundred pounds of tobacco a month. After seven and a half months of service, Dowlan sued the innkeeper for 2250 pounds of tobacco, and the latter confessed judgment for 1273 pounds, which the Court, sitting without a jury, awarded the servant (*post,* 201-202).

Dowlan was supposed to get for a year's service 3600 pounds of tobacco in addition to his board and lodging. This was vastly more than most servants got. For the "man Negro of the age of Sixteen yeares or thereabouts" whom Justice Thomas Taillor got from John Burnham, he agreed to pay twenty-five pounds lawful money of England. In another case, Edward Man (or Mann) received of Thomas Sprigg of Patuxent "two Mulattoes . . . between five or six years old or thereabouts. . . ." For these two little coloured children so bound out to him, Man was to deliver a man servant and a woman servant about sixteen years of age, or two men servants, or four thousand pounds of tobacco. When Man did nothing, Sprigg sued, and got from the Court the four thousand pounds plus 560 pounds more for costs (*post,* 177-178).

In the lifetime of John Cornish of Talbot County, he and Henry Hooper agreed about the sale of a certain boy servant, name unknown. Cornish told Hooper that he had brought the boy into the Province and that the lad had no indenture but was to serve according to the custom of the country. Relying on this word, Hooper accepted the boy, and, within the due six months, he took him to the Dorchester County court to have his age determined. In court, the boy showed that he had an indenture, and that it was for four years of service. Hooper felt that he had been defrauded and deceived, but Cornish refused either to take the boy back or to return the bill for 1500 pounds of tobacco which Hooper had given him, and even sued him on the bill when he did not pay. In court Hooper won the decision, and a writ of enquiry of damages (*post,* 107-108, 132, 188). Perhaps the next liber will show what the jury thought Hooper ought to get in damages.

CHIRURGEONS

Again this year there is little to be said about doctors or about the art of healing: again the term "chirurgeon" is most often used descriptively. Since doctoring, like law practicing, was not a full-time occupation, doctors were planters or gentlemen or administrators too. There are three cases where a doctor sued for professional fees. One of them, that of Doctor Humphrey Davenport against the marksman, Ralph Fishborne has already been discussed (*ante,* xv). Dr. John Wynn, who had practiced "Phisick & Chirurgery with good success" for several years in the Province, was called in to treat William Williams for "a certain distemper called a feavour or a seasoning As also of a fracture in the skull by a fall from a horse." Williams promised to pay Wynn "what for the same [his care and his visits] he should deserve[.]" Wynn thought he deserved 2970 pounds of tobacco, but neither Williams nor his wife, his administratrix would pay. So Wynn sued for 4000 pounds of tobacco. When the case came up in court, Administratrix Jane Williams "came not but made default", and the Court awarded Wynn damages of 2970 pounds of tobacco with an undetermined sum for costs (*post,* 220-221).

In 1678 Samuel Lane was "a doctor of phisick & accustomed to practise phisick within the Province of Maryland. . . ." Charles Gosfright "did languish of sicknes & violent distemper" and he called in Dr. Lane, with a promise to pay him what he deserved. Lane attended Gosfright for more than a month, and he thought that he well deserved 8940 pounds of tobacco. Neither Gosfright nor his executors paid, so Lane sued them for 12,000 pounds. When the case came up, the executors demurred and, for want of an account, the Court sustained the demurrer. The executors recovered 730 pounds of tobacco for their costs and charges, and they were also granted execution (*post,* 247-249).

Dr. Edward Husbands was not practicing medicine in these pages, but his conduct here and in other places show that he was an interesting villain. On June 12, 1678, he told the attorney general, in public, Attorney Nehemiah Blakiston "had robbed him on the high way & putt him in feare of his life & tooke violently from him his hatt & perriwig," and he required the Attorney General to draw up an indictment against Blakiston. Accordingly, Sheriff

Gerard Slye took the attorney, who was his uncle, into custody, and that same day a grand jury "or Inquest of the body of the said Province," acting on nothing but the testimony of Husbands, presented the lawyer for assaulting the doctor. Blakiston was arraigned, "pleaded not guilty & for his tryall putt himselfe upon the Countrey . . . [the] Jury to passe upon the life & the death of the said Nehemiah" heard the sworn charges of Husbands and said upon their oaths that Blakiston was not guilty, and that he had not withdrawn himself. He was forthwith allowed to go without day, but he felt that he had been so injured by the charges that he sued Dr. Husbands for 100,000 pounds of tobacco (*post,* 121-125).

When, on March 13, 1678/9, the case came to trial, Husbands reiterated his charges. On March 26, 1676, Blakiston "the said hatt called a ffrench hatt & one perriwigg to the value of three pounds eight shillings sterl then & there from the person of the said Edward with force & armes feloniously did take & carry away" (*post,* 125). This Nehemiah again denied, and he prayed that the charges "may be inquired of by the Countrey And the defend[t] [Husbands] also [.]" The jury supported Blakiston and assessed the damages done him at five thousand pounds of tobacco, plus 2192 pounds more for costs (*post,* 126). What really happened on the high way near Mattaponi that March day in 1676 no one knows.

Husbands's charges resulted in the acquittal of the defendant in June 1678. In the interval between that time and the suit for damages, Husbands got himself into real trouble. On the evening of November 8, 1678, members of the Lower House of Assembly ate a duck pie and fell ill. Chirurgeon Husbands was thrown into jail on a charge of having put some poison or unwholesome drug into the pie, and, at the request of the Assembly the Governor made sure Husbands would be on hand for the trial. The Lower House said that, though there was not absolute proof of the poisoning, there was exceedingly strong suspicion, and they desired that Husbands be forever disabled from practising in the Province. For the threats and curses he had used against the Assembly, the Lower House said he ought to apologise on his kneew to both houses, or that, in default of that, he be given forty lashed on his bare back. The Upper House concurred (and the Upper House did not always agree with the Lower House), and ordered that a bill of attainder be drawn up against the Doctor. When this act came to passage, it forbade him to practise medicine, and, for the "Crime of Threatening menaceing & Curseing this Assembly as afores[d] The said Husbands be whipped on the bare back with twenty Lashed by the hand of the Comon hangman" (*Archives* VII, *passim*). What happened to him after this no one knows now.

SHIPS AND SEAFARING MEN

There were no cases heard in admiralty this year: indeed the word *admiralty* does not once occur in these pages. There are only one or two cases involving ships and seamen, and in these the settlement was according to the law of land. In 1675 and again in 1676, Thomas Clarke told Captain John Longden that, for the transport of himself and of his manservant from England to the Province,

he would pay the Captain as "much as the same should be reasonably worth. . . ." Captain Longden thought that the two trips for the two men were reasonably worth £18. The fare for the master was set at twice as much as that of the man. But Clarke refused and failed to pay the £18, and Longden sued for £40. When, after several continuances the case came to trial, Defendant Clarke pleaded *non-assumpsit* and put himself upon the country. The jury summoned by the St. Mary's County sheriff said, on their oaths, that Clarke did assume and promise as Longden had declared. The defendant moved in arrest of judgment on the failure of the plaintiff to take out a *venire facias,* but the Court judged that the reason was not sufficient in law to arrest the judgment and awarded Longden not only the £18 damages but also 1364 pounds of tobacco for costs (*post,* 157-158).

One day in late April 1678, John Quigley, being on board the ship *George* of London, asked the master, Robert Ellys, on his way up the Patuxent, to buy him "one Pype of good St Georges or ffyal wine att the store of Charles Gosfright M^r^chant in Petuxent River in Calvert County to which place the said Ribert was then intended. . . ." Ellys agreed to turn the wine over to John Anderson, with directions to deliver it to Quigley, wherever he might be. For buying and shipping the wine Quigley promised to pay Ellys as much as he deserved. Ellys did as he had agreed to do, and demanded of Quigley 2500 pounds of tobacco. This price for buying a hundred and twenty-six gallons of wine and for delivering it at an unspecified place comes to twenty pounds of tobacco per gallon. When Quigley refused to pay, Ellys sued in the Provincial Court. Quigley claimed in court that he had not promised as Ellys said, and he prayed a jury trial. When, at the next Provincial Court, the case was set for trial, both parties appeared by their attorneys, and Quigley confessed judgment. Therefore the Court considered that Ellys recover the 2500 pounds of tobacco damages, and also 1246 pounds more for costs (*post,* 42, 85, 166-167).

JACOB LEISLER

The obstinate, tactless Jacob Leisler comes into the story of the Province at this time. In 1677 he had not yet become such a figure as he was, some thirteen years later: in 1677 he was only a wealthy NewYork merchant. When the Council of the Province sent Col. Henry Coursey up to Albany, to join Virginia and New York in a conference with the Five Nations, and to try to make a separate treaty with the Susquehannocks, they gave him long and detailed instructions, but they also left him much discretion. He was told to give Governor Andros a present of £100 in recognition of his "Kindnesse Shewne to this Province," and to "apply y^r^ selfe to Mr Jacob Leslier or any other for such monyes, Wampom, ffurrs or Truck you shall stand in need off which shall be paid him by the publick next Levy." (*Archives* XV, 152). Coursey did apply himself to Leisler and he got from the New Yorker a letter of credit for £250. When time came for payment, the Province did not pay at St. Mary's and did not pay in prime tobacco. Leisler petitioned the Proprietary for redress. His Lordship was willing to reimburse Leisler for the loss and the damage, if the Assembly would in turn reimburse him (*Archives* XV, 262-263). The

Assembly did not meet from November 15, 1678 until August 16, 1681, and in 1681 they did pass a law for the relief of Leisler. By that law a tax of three pounds of tobacco per poll was imposed and the proceeds of the tax, estimated at 20,842 pounds, were ordered paid to Leisler (*Archives* VII, 225). He had come down into Maryland to help in the passage of the law (*ibid.*, 241).

When the Council told Coursey to apply to Leisler for what he needed, they must have known him, and indeed events proved that this was true. After Leisler got into trouble over his church activities, he came down into Maryland and Delaware and Virginia for trade. He did fairly well here, and got into no more than the usual number of lawsuits. At one time he retained Robert Carvile, at another Robert Ridgely. Ridgely took care of a suit Leisler brought against John Blomfield, attorney, clerk of the Council, clerk of the Provincial Court, and innholder in St. Mary's. Ridgely was, himself, clerk of the Lower House, but that was no reason why he should not function as an attorney. In May 1677 Blomfield gave Leisler a writing obligatory for 4520 pounds of tobacco to be paid on October 10 next after the date of the bond. When Blomfield did not pay, Leisler, by Ridgely, sued for 6000 pounds of tobacco. At the trial Blomfield claimed that he had paid 2000 pounds of the debt, and he admitted owing the remainder. This plea the Court accepted, and, on March 11, 1678/9, they gave Leisler the 2520 pounds debt, and costs of 560 pounds, with a stay of execution until October 10 following (*post,* 142-143). Leisler's troubles in Maryland were nothing compared to his later difficulties in New York, but this is not the place nor the time to tell of hanging for treason, or of the later reversal of the treason charge. He maintained his Maryland connections until he died.

The events of this volume took place in 1678-1679. At that time in England, the country was excited by the Popish plot, but no hint of the stir is to be found in these proceedings. What makes the omission a little strange is that one of the sufferers in the plot was Henry, third Lord Arundell and cousin of Charles, third Lord Baltimore.

PROVINCIAL COURT PROCEEDINGS

[1678]

Att a Provincial Court held att the Citty of St Maryes the Eighth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni One thousand six hundred Seventy eight & there continued untill the Eighteenth day of the same Month att which said Eighth day of Octob^{r} were p^{r}sent

Liber N N Middle of p. 674

The Honble { Philip Calvert Esqr Chancelour; Wm Calvert Esqr Principall Secry; Baker Brooke Esqr Survey^{r} Gen^{ll}; Henry Coursey Esqr; Benj^{a} Rozer Esqr }

Nic: Painter Cl

John Longden ag^{t} Tho: Clarke
Tho: Hagelton ag^{t} Tho: Trueman
Tho: Marsh ag^{t} Stephen Burle
John Moll ag^{t} Mary Roe Ex^{x} Edward Roe
} These foure actions are continued untill next Court

p. 675

Peter Archer ag^{t} Henry Cole
Henry Stocket & Ja: Stavely Ex^{rs} Nathl Stiles ag^{t} Jon^{a} Sibrey
Philis Downman ag^{t} Robt Doyne & ux Adm^{x} John Thomas
Garret VSweringen ag^{t} Vincent Lowe
} These fourre causes are agreed

Liber N N

Wm Dare ag^t Lewis Blangy & ux Ad^x Disborough Bennet } Lewis Blangy late of Kent County taylor & Mary his wife the Relict & Admist^x of the Goods & Chattels of Disborough Bennet deceased was Sumoned to Answer unto Wm Dare of a plea that they render unto him the full & just Sume or quantity of Eight thousand Eight hundred fifty & three pounds of tobacco which they from him unjustly detaine

And whereupon the said Wm Dare by George Parker his Attorney saith, That whereas the said Disborough Bennet the twenty fifth day of May Anno One thousand six hundred seventy & six by his certaine bill obligatory Sealed with the Seale of the said Disborough & here in Court produced whose date is the day & yeare first aboue written was holden & firmly bound unto Mr William Dare of Calvert County in the Province aforesaid Mrchant the full & just Sume or quantity of Eight thousand Eight hundred fifty & three pounds of tobacco to be paid to him the said William Dare his certaine Attorney his heyres Exrs or Admrs itt being due for a Valuable consideracon in hand allready received to be paid att or upon the tenth day of Novembr next ensueing the date of the said bill, to be paid conveniently in the County of Kent abovesaid For the which payment well & truely to be made & done he the said Disborough did binde him his heyres Execrs or Admrs firmly by those prsents Notwithstanding which the said Disborough Bennet the said Sume of Eight thousand Eight hundred fifty & three pounds of tobacco in his life tyme did not pay nor the said Mary while she was sole the said sume of Eight thousand Eight hundred fifty & three pounds of tobacco did not pay, nor the said Lewis & Mary since the death of the said Disborough to whom Letters of Administracon of all & singuler the Goods & Chattels which were of the said Disborough att the tyme of his death since the death of the said Disborough hath bin granted although often thereunto required have not paid but the same to pay doth altogether deny & refuse whereupon the said Wm Dare saith he is the worse & hath damage to the Value of twelve thousand pounds of tobacco & thereupon he bringeth his suite

And the said Lewis & Mary by Robert Carvile their Attorney come & defend the force & injury when &c and pray liberty to imparle Hereunto untill next Provinciall Court & itt is granted unto them, the same day is given to the plaintiffe also

p. 677 [No page numbered 676]

Now here att this day to witt the ffifteenth day of Octobr in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq Doni 1678 came the said parties by their Attorneys aforesaid And the said Lewis & Mary by their said Attorney say, that as to three thousand foure hundred & Seven pounds of tobacco part of the debt in the declaracon menconed they have satisfied & paid unto the said Wm Dare And as to five thousand foure hundred forty six pounds of tobacco the remainder of the said debt they cannot gainsay for that

the same remaines due unto the said Wm Therefore itt is considered by the Court here that the said Wm Dare recover against the said Lewis Blangy & Mary his wife Adm^x^ as aforesaid as well the sum̃e of five thousand foure hundred forty six pounds of tobacco debt As also seven hundred Eighty six pounds of tobacco costs of suite And the Defendants in mercy Liber N N

Richard Covell ag^t^ Randall Revell } Randall Revell late of Som^r^sett County was Attached to answer unto Richard Covell of a plea of trespasse of the case

And whereupon the said Richard by Robert Carvile his Attorney complaineth, that whereas the said Randall on the tenth day of June One thousand six hundred seventy three stood justly indebted to the said Richard in the sum̃e of Nine thousand pounds of tobacco for the passage of himselfe & five servants into this Province, he the said Richard in consideracōn thereof did assume upon himselfe & to the said Richard did faithfully promise that he the said Randall the said sum̃e of Nine thousand pounds of tob: to him the said Richard when he should be thereunto required would well & truely content & pay Yet the said Randall his promise & assumpcōn aforesaid little reguarding but deviseing & fraudulently intending him the said Richard in this behalfe craftily & subtily to Defraud & deceive the said sum̃e of Nine thousand pounds of tobacco to him the said Richard hath not paid or satisfied though often thereunto required, but the same to pay hath hitherto & still doth deny & refuse to the damage of the said Richard Twenty Thousand pounds of tobacco & thereupon he bringeth his suite

And the said Randall Revell by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court, & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the ffifteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1678 came the said parties by their Attorneys aforesaid And the said Randall by his said Attorney saith, that he did not assume & promise in manner & forme as the said Richard above against him hath declared & this he prayeth may be enquired of by the Countrey And the plaintiffe also Therefore itt is com̃anded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c & who Neither &c to Recognize &c because as well &c Att which said p. 678
ffifteenth day of October in the yeare aforesaid came the said partyes by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt Richard Boughton, Robert Mason, Thomas Doxey, John Doxey, James Rumsey, Thomas Bowdle, Tho: Osborne, Lewis Blangy, Tho: Mountfort, Henry Howard, Thomas Gilbert & Richard Hodgson who being elected tryed & sworne to say the

Liber N N truth in the p^r^misses upon their Oathes doe say that the said Randall Revell did assume & promise in manner & forme as is above against him declared And they assesse the damage of the said Richard Covell to three thousand pds of tobacco Therefore itt is considered by the Court here that the said Richard Covell recover against the said Randall Revell as well the aforesaid sume of Three Thousand pounds of tobacco damages by the Jurors aforesaid in forme aforesaid assessed As also One thousand forty Eight pounds of tobacco costs of suite And the Defend^t^ in mercy

John Burnham ag^t^ Tho: Tailor Esqr — These two actions are continued untill next Court
Robert Williams ag^t^ Wm Coleborne

James Mills ag^t^ Henry Johnson — Henry Johnson late of Baltemore County was Attached to answer unto James Mills of a plea wherefore with force & armes att the plantacōn of him the said James in the County aforesaid one Brigantine of the proper Goods & Chattels of the said James he did take & carry away & other harmes to him did &c contrary to the peace &c

And whereupon the said James by Robert Carvile his Attorney saith, that whereas the said Henry upon or about the fourteenth day of ffebruary in the yeare of our Lord One thousand six hundred seventy & seven the said Henry with force & Armes that is to say with swords & staves the Close of him the said James att his plantacōn att Goldsbury his rest in the County aforesaid did breake & one Brigantine of the proper Goods and Chattels of him the said James of the Value of twelve thousand pounds of tobacco he tooke & carryed away & the same from him as yet doth detaine & other harmes to him did to the great damage of the said James & against the peace of the Lord Prop^ry^ whereupon he saith he is damnified & hath losse to the Value of Twenty Thousand pounds of tobacco & thereupon he bringeth his suite

And the aforesaid Henry Johnson by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also.

p.679 Now here att this day to witt the twelfth day of Octob^r^ In the third yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni One thousand six hundred seventy eight came the said partyes by their Attorneyes aforesaid And the said Henry by his said Attorney saith, that as to the trespas above by the said James imposed upon him he is in nothing thereof guilty in manner & forme as the

said plaintiffe above against him hath complained & of this he putts himselfe upon the Countrey And the plaintiffe also Therefore itt is comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c To recognize &c because aswell &c Att which said twelfth day of October in the yeare aforesaid came the said partyes by their Attorneys aforesaid And the Jurors impannelled being called likewise came to witt Richard Boughton, Robert Mason, Thomas Doxey, John Doxey, James Rumsey, Tho: Bowdle, Tho: Osborne, Lewis Blangy, Tho: Ball, Henry Howard, Tho: Gilbert & Richard Hodgson—who being elected tryed & sworne to say the truth in the prmisses upon their Oaths doe say that the said Henry Johnson is guilty of the trespas above imposed upon him in manner & forme as the plaintiffe above against him hath declared Which Verdict of the Jurors aforesaid being read & heard; the Defendt by his Attorney aforesaid moved the Court here in Arrest of judgemt whereupon day was given to the Defendt untill Munday the fourteenth day of the same month of October to putt in his reasons for the Arresting the judgemt the same day is giuen to the plaintiffe also~On which said fourteenth day of October came aswell the said plaintiffe as the said Defendt by their Attorneys aforesaid And the Defendt by his said Attorney putt in his reasons for Arrest of the judgemt aforesaid which are as followes Vizt Liber N N

Arrest of judgemt for the Defendt

1 Because itt was not proved by any one of all the plaintiffes Wittnesses that he paid the Defendt so much as one pound of tobacco for the Brigantine And itt was proved by the plaintiffes Wittnesses that Mills released the bargaine to Johnson, he paying downe what Mills had paid him for the Brigantine, And that not being proved or shewed to be any thing att all, those words paying him downe what he had paid, were idle & Superfluous words And the release of the bargaine is good notwithstanding, for the rule or Maxime is Utile per inutile non Vitiatur

2 The judgemt ought to be Arrested, because Doctor Ireland the material Witnes for the Defendt was not admitted to be sworne, upon pretence that he is a party concerned, haveing a bill of sale & possession of the Brigantine, which is no sufficient ground to barr his Evidence in the case, for he shall neither receive profit nor losse by the judgemt which way soever itt goes, for the trespas is only in question And the plaintiffe (if judgemt passe for him) shall only recover damages, but shall never have possession by this action. Vide compleat Attorney fol. 41

3 The plaintiffe or his Attorney have not sued out a Venire facias in this case directed to the Sheriffe of StMaryes or any other County to Summon a jury for the said tryall which alone is sufficient Error to Arrest the judgemt—Which being read & heard itt is the judgemt p. 680

Liber N N of the Court here that the reasons aforesaid are insufficient in Law to Arrest the judgem^t aforesaid Therefore itt is granted by the Court here that the said James Mills recover against the said Henry Johnson his damages susteyned by occasion of the trespas aforesaid But because itt is not known what damages the said James hath sustained by occasion of the p^r misses Itt is ordered by the Court here that a writt of Enquiry of damages issue returnable att the next Provinciall Court

James Mills ag^t Henry Johnson } Henry Johnson late of Baltemore County was Attached to answer unto James Mills of a plea wherefore with force & Armes att the plantacōn of him the said James in the County aforesaid the sales belonging to a certaine Brigantine of the proper Goods & Chattels of the said James he did take & carry away & other harmes to him did to the damage &c and against the peace &c^a

And whereupon the said James by Robert Carvile his Attorney complaineth, that whereas the said Henry upon or about the seventeenth day of ffebruary in the yeare of our Lord One thousand six hundred Seventy seven with force & armes that is to say with swords & staves the Close of him the said James att his plantacōn att Goldsmiths in the County aforesaid did breake & a certaine suite of Sales belonging to a certaine Brigantine of the proper Goods & Chattels of him the said James of the Value of two thousand pounds of tobacco he tooke & carryed away & the same from him as yet doth Deteyne & other harmes to him did to the great damage of the said James & against the peace of the Lord Prop^ty whereupon he saith he is damnified & saith he hath losse to the Value of tenn Thousand pounds of tobacco & thereupon he bringeth his suite

And the said Henry Johnson by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto until next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Att which said next Provinciall Court came as well the said plaintiffe as the said Defend^t by their Attorneys aforesaid And the said Defend^t by his said Attorney saith, that as to the trespasse above by the said James imposed upon him he is in nothing thereof guilty in manner & forme as the said plaintiff above against him hath complained, & of this he putts himselfe upon the Countrey & the plaintiffe also, whereupon day is given to both partyes until next Provinciall Court.

Now here att this day to witt the fourteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoꝫ Doni 1678 came the said James Mills by his Attorney aforesaid & offered himselfe ag^t the said Henry Johnson in the plea aforesaid, but the said Henry came not but made default Therefore itt is considered by the Court here that the said James Mills recover ag^st

the said Henry Johnson His damāges susteyned by occasion of the trespas aforesaid, but because itt is not known to the Court here what damāges the said James hath sustained by occasion of the p^r^misses Itt is ordered by the Court here that a Writt of Enquiry of damāges issue returnable att the next Provinciall Court Liber N N p. 681

Peter Sayer & John Brooke ag^t^ John Quigley } John Quigley late of St Maryes County otherwise called John Quigley of St Maryes County in the Province of Maryland M^r^chant was Sum̄oned to Answer unto Peter Sayer of Talbot County gent^l^ & John Brooke of Dorchister County Chirurgion of a plea that he render unto them the sum̄e & just quantity of Twenty six thousand six hundred Eighty & Eight pounds of good sound every way well condicōned M^r^chantable tobacco & caske wch to them he oweth & unjustly doth detaine

And whereupon the said Peter & John by Charles Boteler their Attorney say, that whereas the said John Quigley upon the One & twentieth day of April Annoq̄ Domini One thousand six hundred Seventy seven by his certaine writeing obligatory Sealed with the Seale of him the said John and here in Court produced whose date is the day & yeare abovesaid was held & firmly bound to Peter Sayer of Talbot County gent^l^ & John Brooke of Dorchister County Chirurgion in the sum̄e & just quantity of twenty six thousand six hundred Eighty & Eight pounds of good sound every way well condicōned tobacco & caske to be paid to them the said Peter Sayer & John Brooke or to either of them their or to either of their certaine Attorney Exec^rs^ Admist^rs^ or assignes To which payment well & truely to be made & done the said John Quigley did binde himselfe his heyres Exec^rs^ & Adm^rs^ firmly by the same writeing Notwithstanding which the said John Quigley though often thereunto required the said Sum̄e of twenty six thousand six hundred Eighty & eight pounds of tobacco according to the tenour forme & effect of his said writeing hath not paid, but the same hitherto to them to pay hath denyed & still doth deny, whereupon the said John & Peter say they are damnified & have losse to the Value of Thirty thousand pounds of tobacco & thereupon they bring their suite.

And the said John Quigley by Robert Ridgely his Attorney comes & defends the force & injury when &c and prayeth hearing of the said writeing & itt is read unto him he also prayeth hearing of the Condicōn of the said writing & itt is read unto him in these words The Condicōn of this Obligacōn is such, That if the above bounden John Quigley his heyres Ex^rs^ Adm^rs^ or assignes or any of them shall & doe well & truely pay or cause to be paid unto James Stavely of Cecil County M^r^chant the full & just quantity of Six thousand Nine hundred twenty two pounds of good sound & every way Well condicōned M^r^ chantable tobacco in cask upon the twentieth day of October next ensueing the day of the date hereof in some convenient p. 682

Liber N N place in Talbot County aforesaid within one Mile of some convenient landing place in full & cleere discharge of one obligacōn of the penall sum̃e of Thirteen Thousand three hundred forty & foure pounds of good sound & every way well condicōned M^r^chantable tobacco in cask wherein the said Peter Sayer & John Brooke stand jointly & severally bound together with the said Jno Quigley for the true paym^t^ of six thousand nine hundred Twenty & two pounds to James Stavely M^r^chant upon the twentieth day of October now next ensueing the date hereof without any fraud or further delay That then this Obligacōn shall be void & of none effect, otherwise to stand & remaine in full force strength & Vertue Which words being read & heard the said John Quigley by his Attorney aforesaid prayeth liberty to imparle hereunto untill next Provinc^l^ Court & itt is granted unto him, the same day is given to the plaintifs also

Now here att this day to witt the ffifteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &^c^ Annoq̃ Doni 1678 cometh as well the said plaintiffes as the said Defend^t^ by their Attorneys aforesaid And the said Defend^t^ saith nothing in barre or avoidance of the action aforesaid of the said Peter Sayer & John Brooke Whereby the said Peter & John remaine against the said John Quigley thereof wholy undefended Therefore itt is considered by the Court here that the said Peter Sayer & John Brooke recover against the said John Quigley as well the sum̃e of Twenty six thousand six hundred Eighty & Eight pounds of tobacco debt As also ffive hundred twenty foure pounds of tobacco costs of suite So that Execution thereof cease untill next Provinciall Court And the said John Quigley in mercy

John Staynes ag^t^ Ann Jones } Ann Jones late of the Cliffts in Calvert County Widdow was Attached to Answer unto John Staynes of a plea of trespas on the case.

And whereupon the said John Staynes by George Parker his Attorney complaineth, that whereas the said John Staynes between the five & twentieth day of ffebruary One thousand six hundred Seventy & five & the twenty ninth day of July One thousand six hundred seventy & six att his store upon the Clifts in Calvert County att the speciall instance & request of the said Ann Jones had sold & delivered unto the said Ann Jones severall Goods Wares & M^r^chandizes amounting in the whole to the full sum̃e of Two Thousand One hundred Eighty & nine pounds of tobacco a particuler whereof by the said John Staynes is here in Court produced, the said Ann Jones in consideracōn thereof att the Cliffts aforesaid upon her selfe did assume & to the said John Staynes then & there faithfully promise that she the said Ann the aforesaid Sum̃e of two thousand One hundred eighty & nine pounds of tobacco to the said John
p. 683 Staynes when she should be thereunto Required well & faithfully

would content & pay Notwthstanding the said Ann her promise & assumpcōn aforesaid little reguarding, but meaning & fraudulently intending him the said John in this behalfe craftily & subtily to deceive & defraud the said sum̃e of two thousand one hundred eighty & nine pounds of tobacco according to her promise & assumpcōn aforesaid to the said John hath not paid or any wayes contented although the said Ann often thereunto required, but the same to him to pay hath refused & as yett doth refuse to the dam̃age of the said John Staynes five thousand pounds of tobacco And thereupon he brings his suite Liber N N

And the said Ann Jones by Charles Boteler her Attorney cometh & defendeth the force & injury when &c And prayeth liberty to imparle hereunto untill next Provincial Court & itt is granted unto her, the same day is giuen to the plaintiffe also

Now here att this day to witt the Sixteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 came the said parties by their Attorneys aforesaid And the said Ann by her said Attorney saith, that she did not assume & promise in manner & forme as the p^{ltt} above in his Declaracōn hath declared, & of this she putteth her selfe upon the Countrey And the plaintiffe also Therefore itt is comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c Att which said sixteenth day of October in the yeare aforesaid came as well the said plaintiffe as the said Defend^{t} by their Attorneys aforesaid And the Jurors impannelled being called likewise came to witt Richard Boughton, John Haslewood Thomas Doxey, John Doxey, Marke Bromfield, Tho, Bowdle, Tho: Osborne, Lewis Blangy, Tho: Ball, Henry Howard, Tho: Gilbert & Richard Hodgson who being Elected tryed & Sworne to say the truth in the p^{r}misses upon their Oaths doe say that the said Ann Jones did assume & promise in manner & forme as the plaintiffe above against her hath declared And they assesse the dam̃age of the said John Staynes to Two Thousand one hundred Eighty & nine pounds of tobacco Therefore itt is considered by the Court here that the said Jno Staynes recover against the said Ann Jones as well the sum̃e of two Thousand one hundred Eighty & nine pounds of tobacco dam̃ages by the Jurors aforesaid in forme aforesaid assessed As also one thousand & twelve pounds of tobacco costs of suite And the Defend^{t} in mercy &c [a]

Tho: Newton ag^{t} Benj^{a} Hunt
Henry Warde ag^{t} Geo: Tankerly
} These two actions are Agreed

Liber N N p. 684

Tho: Snell Adm^{r} Jno Cornish ag^{t} James Senscerfe } James Senscerfe late of Talbot County was Sum̃oned to Answer unto Thomas Snell Adm^{r} of the Goods & Chattles of John Cornish deceased in a plea that he render unto him his reasonable accompt of the tyme he was receiver of the tobaccoes of the said said John Cornish wch to him to render he ought

And whereupon the said Thomas Snell by Wm Crosse his Attorney saith, that whereas the aforesaid James Senscerfe the six & twentieth day of March Anno One thousand six hundred seventy & seven hath bin the Receiver of the tobaccoes of the said John Cornish in his life tyme to witt forty five hogsheads of Virginia leafe tobacco by the hands of Ezekiel Croscomb, to render a reasonable Accompt thereof to the said John Cornish when he should be thereunto required Neverthelesse the said James although often required his reasonable accompt aforesaid thereof to the said John Cornish in his life tyme nor to the said Thomas Snell Adm^{r} of the Goods & Chattels of the said John Cornish since his death hath not rendred, but the same hitherto to render to the said Thomas hath denyed & still doth deny to the retardation of the Administracōn aforesaid Wherepon the said Thomas saith he is damnified & hath losse to the Value of Forty Thousand pounds of tobacco, & thereupon he bringeth his suite And the said Thomas bringeth here into Court the Letters of Adm^{cōn} upon the Estate of the said John Cornish to him granted by the chiefe Judge for probate of Wills & granting Adm^{cōns} that itt may appeare to the Court here that he is Admist^{r} as aforesaid

And the said James Senscerfe by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the fifteenth day of Octob^{r} in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 came the said plaintiffe by his Attorney aforesaid & offered himselfe against the said James Senscerfe in the plea aforesaid, but the said James came not but made default Therefore itt is considered by the Court here that Audito^{rs} be Appointed to Audite & State the Accompts between the said Thomas Snell Adm^{r} as aforesaid & the said James Senscerfe And doe hereby order & appoint Philemon Lloyd & Edward Man Gent^{l} to Audite & state the same, & to make a report of their proceedings therein att the next Provinciall Court

Henry Stocket & Ja: Stavely Ex^{rs} Nath: Stiles ag^{t} Wm Bateman Adm^{r} Christopher Andrews } These two actions are agreed

the same
ag^{t}
Richard Lowther

Liber N N

Prop^{ry}
ag^{t}
Henry Stocket &
James Stavely Ex^{rs}
Nathl Stiles

Memorandum that att a Provinciall Court held the day of October in the second yeare of the Dominion &c^{a} & in the yeare of our Lord one thousand six hundred Seventy seven here p^{r}sent in Court Kenelm Cheseldyn Attorney Gen^{ll} of the said Lord Prop^{ry} In his proper person who for the said Lord Prop^{ry} followeth in this behalfe, & exhibitteth to the Court here his certaine Informacōn against James Stavely of Cecil County & Henry Stocket Exec^{rs} of the last Will & Testament of Nathaniel Styles deceased, thereby giveing the Court here to understand & be informed p. 685

That whereas the said Nathaniel in his life tyme to witt the sixteenth day of April in the yeare of our Lord One thousand six hundred Seventy two by a certaine writeing under the hand of the said Nathaniel did binde himselfe his heyres Ex^{rs} & Adm^{rs} to pay unto the Honble Charles Calvert Esqr now Lord & Prop^{ry} of this Province the sum̄e of three thousand Seven hundred Eighty two pounds of tobacco upon demand In consideracōn whereof the said Nathaniel did assume upon himselfe that he the said Nathaniel the said sum̄e of three thousand Seven hundred Eighty two pounds of tobacco would according to the tenour of the said writeing well & truely content & pay Notwithstanding which the said Nathaniel the same hath not paid in his life tyme according to his promise, nor the said James & Henry since his death Exec^{rs} of the last Will & testament of the said Nathaniel hath not paid though often thereunto required, but the same to pay hitherto hath & still doth deny to pay to the dam̄age of the said Lord Prop^{ry} the sum̄e of six thousand pounds of tobacco Whereupon the said Kenelm Cheseldyn as aforesaid for the said Lord Prop^{ry} prayeth advice of the Court in the p^{r}misses And that the said James & Henry may come here in Court & Answer the said Lord Prop^{ry} upon

And the said James & Henry by Robert Ridgely their Attorney come & defend the force & injury when &c and pray liberty to imparle hereunto untill next Provinciall Court & itt is granted unto them, the same day is given to the said Kenelm Cheseldyn Attorney Gen^{ll} &c likewise

Now here att this day to witt the ffifteenth day of Octob^{r} in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̄ Doni One thousand six hundred Seventy Eight came aswell the said Kenelm Cheseldyn Attorney Gen^{ll} aforesaid as the said Defend^{ts} by their Attorney aforesaid And the said Henry & James by their said Attorney say, that the aforesaid Kenelm Cheseldyn Esqr Attorney

Liber N N Gen^{ll} of the said Lord Prop^{ry} ought not to haue his action aforesaid against them, because they say that the aforesaid Nathaniel in his life tyme the said sum̃e of three thousand seven hundred Eighty & two pounds of tobacco to the said Charles Calvert Esqr now Lord
p. 686 Prop^{ry} ofThis Province did pay & satisfie And this they are ready to Verifie whereupon they pray judgem^{t} whether the aforesaid Kenelm Attorney Generall as aforesaid ought to haue his action aforesaid against them And the said Kenelm Attorney Gen^{ll} aforesaid saith that the said Nathaniel did not pay the said sum̃e of three thousand seven hundred Eighty two pounds of tobacco as aforesaid & prayes itt may be enquired by the Countrey And the said Adm^{rs} likewise Therefore itt is com̃anded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to Recognize &c because as well &c Att which said ffifteenth day of October in the yeare aforesaid came aswell the said Kenelm Cheseldyn Attorney Gen^{ll} aforesaid as the said Defend^{ts} by their Attorney aforesaid And the Jurors impannelled being called likewise came to witt Tho: Hedge, Wm Thomas, Randall Revell, Henry Parker, Joseph Tilly, David Holt, John Highland, Morgan Jones, John Warren, Jno Hollins, Tho: Pattison & Thomas Jones who being Elected tryed & Sworne to say the truth in the p^{r}misses upon their Oaths doe say that the said Nathaniel Stiles did not in his life satisfie & pay unto the said Lord Prop^{ry} the said Sum̃e of three thousand Seven hundred Eighty two pounds of tobacco And they assesse the dam̃age of the said Lord Prop^{ry} to three thousand Seven hundred Eighty two pounds of tob: Therefore itt is considered by the Court here that the said Kenelm Attorney Gen^{ll} as aforesaid recover against the said James Stavely & Henry Stocket Ex^{rs} as aforesaid as well the sum̃e of three thousand Seven hundred Eighty two pounds of tobacco dam̃ages by the jurors aforesaid in forme aforesaid assessed As also Nine hundred Sixty & six pounds of tobacco costs of suite And the Defend^{ts} in mercy &c^{a}

Wm Calvert Esqr ag^{t} Edw^{a} W^{ms} } Edward Williams otherwise called Edward Williams of the County of Talbot was Sum̃oned to answer unto Wm Calvert Esqr of a plea that he render unto him the full quantity of Eight thousand pounds of good sound M^{r}chantable tobacco in cask which to him he owes & unjustly detaines

And whereupon the said Wm Calvert by Kenelm Cheseldyn his Attorney saith, that whereas the said Edward Williams the Eighteenth day of April in the two & fortieth yeare of the Dominion of Cecilius One thousand six hundred seventy foure by his certaine bond or writeing Obligatory Sealed with the Seale of him the said Edward & here in Court produced whose date is the day & yeare aforesaid, did confesse & own himselfe to be holden & firmly bounden unto the said Wm Calvert in the full quantity of Eight thousand

pounds of good sound M^r^chantable tobacco in cask to be paid to the said Wm Calvert Esqr or to his certaine Attorney his Exec^rs^ Adm^rs^ or assignes To the which payment well & truely to be made the said Edward did binde himselfe his heyres Exec^rs^ & Adm^rs^ in the whole & for the whole firmly by those p^r^sents Notwithstanding the said Edward the said sum̃e of Eight thousand pounds of tobacco to him the said Wm Calvert according to his said Writeing obligatory hath not paid, but the same to pay hath altogether denyed & still doth deny, whereupon he saith that he is damnified & hath losse to the Value of Sixteen thousand pounds of tobacco & thereupon he bringeth his suite Liber N N p. 687

And the said Edward by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth the hearing of the said writeing obligatory & itt is read unto him, he also prayeth the hearing of the Condicōn of the said writeing obligatory & itt is read unto him in these words following vizt the Condicōn of this Obligacōn is such That if the above bounden, Edward Williams his heyres Ex^rs^ Adm^rs^ or assignes doe well & truly pay or cause to be paid to the above named Wm Calvert Esqr his heyres Exec^rs^ Adm^rs^ or assignes the full quantity of foure thousand pounds of good sound M^r^chantable tobacco in cask att some convenient place in Baltemore County on or upon the tenth day of October next ensueing the date above That then the above Obligacōn to be void & of none Effect Or else to remaine in full force & Vertue Which being read & hear the said Edward Williams by his Attorney aforesaid prayed liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiff also

Now here at this day to witt the Sixteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 came as well the said plaintiffe as the said Defend^t^ by their Attorneys aforesaid And the said Defend^t^ by his said Attorney saith, that as to two Thousand seven hundred Sixty nine pounds of tobacco part of the debt in the Declaracōn mencōned he cannot gainsay for that he oweth the same unto the said Wm Calvert, the residue thereof being allready paid & satisfied Therefore itt is considered that the said Wm Calvert recover against the said Edward Williams aswell the Sum̃e of two Thousand Seven hundred Sixty nine pounds of tobacco debt As also ffive hundred Sixty three pounds of tobacco costs of suite And the said Defend^t^ in mercy &c, And likewise the said p^lt^ in mercy for his false plaint against the said Defend^t^ for the residue of the debt aforesaid And the said Defend^t^ may goe thereof without a day &c

Kenelm Cheseldyn Esqr
Att Gen^ll^
ag^t^
Marke Cordea

Liber N N John Blomfield ag^t Richard Chillman } These three actions are agreed
Humphry Davenport ag^t Tho: Hothud }

p. 688 James Mills ag^t Tho: Jones } Thomas Jones late of St Maryes County Sloopman was Attached to Answer James Mills in a plea of trespas upon the case

And whereupon the said James by Kenelm Cheseldyn his Attorney complaineth, that whereas the said Thomas Jones the Eighteenth day of May in the yeare of our Lord One thousand six hundred seventy seven stood indebted unto the said James Mills for divers Goods & M^rchandizes as also for one Mare & Colt As also for severall sum̃es of tobacco paid unto severall persons in this Province att the request of him the said Thomas for & on the behalfe of him the said Tho: All which said Goods & M^rchandizes payments & disbursements had & received paid & disbursed att divers dayes & tymes to witt from the said Eighteenth day of May aforesaid untill the twentieth day of a particuler whereof is here in Court produced amounting in the whole to the sume of Seven thousand two hundred six pounds of tobacco In considercõn whereof the said Thomas did assume upon himselfe & to the said James did faithfully promise that he the said Thomas the said Sum̃e of Seven thousand two hundred & six pounds of tobacco to him the said James when thereunto required would well & truely content & pay Notwithstanding which the said Thomas the said sum̃e of Seven thousand two hundred & six pounds of tobacco according to his promise hath not paid though often thereunto required but the same to him to pay hitherto hath & still denyes to pay to the dam̃age of the said James Mills the Sum̃e of Nine thousand pounds of tobacco & thereupon he bringeth his suite

And the said Thomas Jones by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Sixteenth day of Octob^r in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq; Dni 1678 came as well the said plaintiffe as the said Defend^t by their Attorney aforesaid And the said Defend^t by his said Attorney saith, that he did not assume & promise in manner & forme as the said Ja: Mills above against him hath declared And of this he prayes the judgem^t of the Court And the plaintiffe also And hereupon the plea aforesaid of the said Defend^t being seen, & the plaintiffe's accompt being proved in open Court itt seemeth to the Justices here that the Defend^t did assume & promise in manner & forme as the

plaintiffe above against him hath declared Therefore itt is considered that the said James Mills recover against the said Thomas Jones as well the sum̃e of Seven thousand two hundred & six pounds of tobacco dam̃ages occasioned by the p^{r}misses As also Eighteen hundred & three pounds of tobacco costs of suite And the Defend^{t} in mercy &c Liber N N

Richard Jones ag^{t} Abraham Clarke & ux: } This action is continued p consent

Tho: Carlisle Wm Watson & aĩ Ex^{rs} Cuningham ag^{t} John Addison Exec^{r} Nich: Proddy
Tho: Mountford ag^{t} James Wasse
Benj^{a} Hunt ag^{t} Abigail Wright Ad^{x} Arthur Wright
Peter Bayard & Egidius Luke ag^{t} the same
Robt Graham & ux: Ex^{x} Geo: Macall ag^{t} Mary Ward Ex^{x} Matthew Ward
Robert Williams ag^{t} the same
Thomas Bland ag^{t} Edward Dorsey
Wm Crosse ag^{t} Wm Hemsley
Mary Roe Ex^{x} Edward Roe ag^{t} the same
} These thirteen actions are continued untill next Court

p. 689

Liber N N Sam[l] Hatton & ux
Ad[x] Richd Gorsuch
ag[t]
the same

George Tyte
ag[t]
ffrancis Johnson

Lord Prop[ry]
ag[t]
George Wharton

Edward English
ag[t]
James Floyd

p. 690 Tho: Snell Adm[r]
Jn[o] Cornish
ag[t]
Henry Hooper

Henry Hooper late of Dorchister County was Attached to Answer unto Thomas Snell Adm[r] of the Goods & Chattels of John Cornish deceased in a plea of trespas upon the case

And whereupon the said Thomas by W[m] Crosse his Attorney saith that whereas the said Henry Hooper the twelfth day of September One thousand six hundred seventy seven was indebted to the said John Cornish the full quantity of ffifteen hundred weight of good sound M[r]chantable tobacco in cask to be paid to the said John Cornish or his order upon his the said Henry his plantacōn upon Hoopers Island the tenth day of October then next And being so indebted the said Henry did assume upon himselfe & to the said John Cornish did faithfully promise that he the said Henry the said Summe of fifteen hundred pounds of tobacco & cask to him the said John would well & truely pay as aforesaid Nevertheles the said Henry the said Sum̃e of ffifteen hundred pounds of tobacco & cask in manner & forme aforesaid to the said John in his life tyme nor to the said Thomas Snell to whom Administracōn of the Goods & Chattels of the said John since his death hath bin com̃itted hath not paid though often thereunto required, but the same to pay hath denyed & still doth deny to the retardacōn of the Administracōn of the said John Whereupon the said Thomas saith he is damnified & hath losse to the Value of three thousand pounds of tobacco & thereupon he bringeth his suite

And the said Henry Hooper by Robert Carvile his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Att which said next next Provinciall Court came as well the said plaintiffe as the said Defend[t] by their Attorneys aforesaid And the said Defend[t] by his said Attorney saith that he did not assume nor to the said John Cornish make such promise in manner and forme

as the said Thomas hath above declared against him & of this he putts himselfe upon the Countrey Whereupon day is given to both parties untill next Provinciall Court Liber N N

Now here att this day to witt the Fifteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c[a] Annoq̃ Dni 1678 came the said Thomas Snell by his Attorney aforesaid & offered himselfe against the said Henry Hooper in the plea aforesaid but the said Henry came not but made default Therefore itt is considered by the Court here the said Tho: Snell Adm[r] as aforesaid recover against the said Henry Hooper as well the sum̃e of ffifteen hundred pounds of tobacco dam̃ages occasioned by the p[r]misses As also ffifteen hundred & twenty pounds of tobacco costs of suite And the Defend[t] in mercy &c

Justinian Tennison ag[t] Matthew Davis } This action is agreed

Tho: Jones ag[t] Robt Mason & W[m] Thomas } Robert Mason & W[m] Thomas late of S[t] Maryes County planters were Attached to answer unto Thomas Jones Marryner of a plea of trespas upon the case p. 691

And whereupon the said Thomas Jones by Robert Ridgely his Attorney complaineth, that whereas the said Thomas Jones being possessed as of his own proper Goods of One Boat of the Value of three thousand pounds of tobacco lying then att the landing of the said Thomas in St Maryes County aforesaid, the said Robert & W[m] the sixth day of March in the yeare of our Lord One thousand Six hundred Seventy seven in consideracõn that the said Thomas Jones would lend them the said Boat to goe on board a certaine Shipp then lying att Anchor in St Maryes River, upon themselves did assume & to the said Thomas did faithfully promise that they the said Robert & W[m] the said Boat att the landing of the said Thomas & the Oares att the house of the said Thomas the night of the same sixth day of March would well & in good condicõn to him the said Thomas redeliver & returne And the said Thomas in fact saith, that trusting to the faithfull promise & assumpcõn of the said Robert & W[m] to him the said Thomas so as aforesaid made, he the said Thomas the said Boat with her Oares to them the said Robert & W[m] did deliver & lend to goe aboard as aforesaid Yet the aforesaid Robert & W[m] their promise & assumpcõn so as aforesaid made not reguarding, but deviseing & fraudulently intending him of the use of his boat to them lent as aforesaid to deprive the same boat with her Oares to the said Thomas did not redeliuer & return according to their promise, but the same boat hath from the said sixth day of March in the yeare aforesaid until the twenty

Liber N N seventh day of April then next following out of the hands & possession out of the said Thomas did keep & detaine to the damage of the said Thomas Jones two thousand Six hundred & sixty pounds of tobacco & thereupon he bringeth his suite

And the said Robert & W^m^ by Robert Carvile their Attorney come & defend the force & injury when &c and pray liberty to imparle hereunto untill next Provinciall Court & itt is granted unto them, the same day is given to the plaintiffe also

Now here att this day to witt the Sixteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1678 came as well the said plaintiffe as the said Defend^ts^ by their Attorneys aforesaid And the said Defend^ts^ by their said Attorney say that they are in noe wise guilty of the premisses above by the said Thomas Jones imposed upon them & of this they putt themselves upon the Countrey And the said Thomas likewise Therefore itt is comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because aswell &c Att which said sixteenth day of Octob^r^ in the yeare aforesaid came the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt Richard Boughton, Jno Haslewood, Thomas Doxey, John Doxey, James Rumsey, Tho: Bowdle, Tho: Osborne, Lewis Blangy,
p. 692 Tho: Ball, Henry Howard, Tho: Gilbert And Richard Hodgson who being Elected tryed & sworne to say the truth in the p^r^misses upon their Oaths doe say that the said Robert Mason & Wm Thomas are guilty of the p^r^misses above by the said Thomas Jones imposed upon them And they assesse the Damage of the said Thomas Jones to three hundred & fifty pounds of tobacco Therefore itt is considered by the Court here that the said Thomas Jones Jones recover against the said Robert Mason & Wm Thomas as well the Sume of three hundred & fifty pounds of tobacco damages by the jurors aforesaid in forme aforesaid assessed As also One thousand & six pounds of tobacco costs of Suite And the Defend^ts^ in mercy &c

John Edmondson ag^t^ Mary Tilghman } Mary Tilghman late of Talbot County Widdow was Attached to Answer unto John Edmondson of a plea of trespas upon the case

And whereupon the said John Edmondson by Robt Ridgely his Attorney complaineth, that whereas att a Provincial Court holden att the City of St Maryes the twentieth day of November One thousand six hundred seventy five in a certaine suite depending between John Quigley plaintiffe & Ralph Blackhall Defend^t^ in an action of Accompt the said John Edmondson & Richard Tilghman deceased late Husband of the said Mary att the special instance & request of the said Ralph became special bayle for the said Ralph in the said action And afterwards to wit the twenty seventh day of

May then next following judgem^t was given against the said John Edmondson & Richard Tilghman for the sum̃e of Ninety six thousand one hundred twenty & three pounds of tobacco upon a scire facias issued against them att the said, John Quigleys upon the Recognizance aforesaid so by them entred into by the said John Edmondson & Richard Tilghman for the said Ralph Blackhall After which the said Richard Tilghman dyed, the said Mary then being Ex^x of the said Richard, & fearing the said judgem^t of the said John Quigley so obtained against the said Richard & John as aforesaid would be levyed on the Estate of the said Richard then remaining in her hands, Afterwards to witt the first day of May One thousand six hundred seventy six in consideracõn that the said John Edmondson would sue out a Writt of Error to Reverse the said judgem^t & retaine Councell & pay all ffees in & about the same, she did assume upon her selfe & to the said John Edmonson did faithfully promise that she the said Mary the one halfe of whatsoever he should expend in & about the managem^t of the same, she the said Mary him the said John would repay satisfie & content when thereunto required And the said John in fact saith that trusting to the faithfull promise & assumpcõn of the said Mary to him the said John in this behalfe so as aforesaid made, he did sue out a writt of Error dated the twenty ninth day of May then next following And the judgem^t aforesaid in the Upper house of Assembly the fifth day of June then next following did reverse And did expend & lay out in ffees & other necessary expences in & abouting doeing & pforming the same the sum̃e of seven thousand three hundred twenty & three p̃ds of tobacco A particuler whereof is by the said John here in Court produced the moitey of which amounts to the sum̃e of three thousand six hundred sixty & one pounds of tobacco Notwithstanding which the aforesaid Mary her promise & assumpcõn so as aforesaid made not reguarding but deviseing And fraudulently intending him the said John of the said sum̃e of three thousand six hundred sixty & one pounds of tobacco to deceive & defraud, the said Mary him the said John the said sum̃e of three thousand six hundred sixty & one pounds of tobacco although often thereunto required hath not paid or satisfied according to her promise, but the same to pay or satisfie hath refused & denyed & as yet doth refuse & deny to the dam̃age of the said John ffoure thousand pounds of tobacco & thereupon he bringeth his suite

Liber N N

p. 693

And the said Mary Tilghman by Robert Carvile her Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto her, the same day is giuen to the plaintiffe also

Att which said next Provinciall Court came the said parties by their Attorneys aforesaid And the said Mary by her said Attorney saith that she did not assume upon herselfe nor to the said John make

Liber N N such promise as the said John above against her hath declared And of this she putts herselfe upon the Countrey, & the said John likewise Whereupon day is given unto both parties untill next Provinciall Court

Now here att this day to witt the Sixteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 Came the said Jn° Edmondson by his Attorney aforesaid, & offered himselfe against the said Mary Tilghman in the plea aforesaid, but the said Mary came not but made default, Therefore itt is considered by the Court here that the said John Edmondson recover against the said Mary Tilghman as well the sum̃e of three Thousand six hundred sixty & one pounds of tobacco damages occasioned by the p^r^misses As also fiue hundred ninety two pounds of tobacco costs of suite And the Defend^t^ in mercy &c

Thomas Bland ag^t^ Adam Shipley	These five actions are agreed
John Griggs & ux Ex^x^ Richard Keene ag^t^ James Mills Ex^r^ Samuel Boston	
Matthew Davis ag^t^ Justinian Tennison	
Kenelm Cheseldyn ag^t^ James Mills	
Wm Nead & Comp^a^ ag^t^ Edwd Gibbs	

p. 694 Tho: Bland ag^t^ Richd Hill — Richard Hill late of Ann Arundell County gent^l^ was Attached to Answer unto Thomas Bland one of the Attorneys of this Court according to the libertyes and priviledges &c in a plea of trespas upon the case

And whereupon the said Thomas in his proper person complaineth, that whereas the said Richard the thirteenth day of March One thousand Six hundred Seventy six in the County Court of Ann Arund^l^ before the Justices of the same County had recovered against the said Thomas as well the sum̃e of Eleven hundred pounds of tobacco & costs of suite As also the Sum̃e of nine hundred Seventy & Eight pounds of tobacco with costs of suite being two distinct judgements obtained by the said Richard against the said Thomas before his Lordpps Justices of Ann Arundell County aforesaid, from both which judgem^ts^ of the said Court the said Thomas Appealed & putt in

security according to Law as by the said proceedings remaining upon Record in the said County of Ann Arundell relacōn being thereunto had may appeare Afterwards the said Thomas the day of att Ann Arundell County aforesaid accompted with him the said Richard, & paid him the said Richard the full ballance of all accompts between them And the said Richard by a certaine writeing of Acquittance him the said Thomas fully did discharge And also gave unto the said Thomas one order under the hand of the said Richard to Robert Carvile gentl Attorney of the said Richard, adviseing & thereby ordering him to withdraw the accōns depending before his Lordpps Justices of the Provinciall Court upon the Appeale aforesaid att the suite of the said Richard against the said Thomas Yet the said Richard being one of the Justices of the County Court of Ann Arundell maliciously intending deviseing & plotting unlawfully & unjustly to grieve & trouble him the said Thomas in this behalfe, & him the said Thomas to vex perplex trouble & impoverish aft^r^wards that is to say the Twenty seventh day of ffebruary One thousand six hundred seventy seven maliciously unlawfully & corruptly without any new judgem^t^ of the County Court given or bill of costs signed or procedendo returned from his Lordpps Justices of the Provinciall Court did prosecute procure & obtaine out of the said County Court of Ann Arundell a certaine writt of capias ad satisfaciendum against the said Thomas in his own name & att his own suite to the Sheriffe of the County of Ann Arundell directed, by which same writt the Lord Prop^ry^ comanded the said Sheriffe that he should take the body of the said Thomas & him in safe Custody keep so that he should have the body of the said Thomas before the said Justices of the County of Ann Arundell att the next Court to be held in the County aforesaid on the second Tuesday in March next ensueing to satisfie unto Richard Hill one of his Lordpps Justices the sume of ffive hundred ninety Eight pounds of tobacco being a certaine Costs & Court charges due unto the said Richd Hill upon a certaine judgem^t^ by him recovered against the said Thomas Bland att a Court held in the said County in March 167⁶⁄₇ And that he should have then & there that writt As by the said writt remaining on Record in that County itt doth appeare Upon which said writt the said Thomas The said Twenty seventh day of ffebruary att the Towne of Ann Arundell in the County aforesaid was taken & Arrested by the Sheriffe of the said County, & by the said Sheriffe in the prison of the Lord Prop^ry^ in the same County in Execucōn for the said sume of five hundred ninety eight pounds of tobacco for the costs of suite aforesaid the said Twenty seventh day of ffebruary in the yeare aforesaid untill the twelfth day of March then next following unjustly unduely & illegally was detained Upon which said twelfth day of March in the yeare aforesaid the said Thomas the said five hundred ninety Eight pounds of tobacco together with costs & charges for his

Liber N N

p. 695

Liber N N inlargem^t out of Prison aforesaid did pay to the damage of the said Thomas six thousand pds of tobacco & thereupon he brings his suite

And the said Richard Hill by Robert Carvile his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Sixteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq Doni 1678 came the said parties by their Attorneys aforesaid And the said Richard by his said Attorney saith, that he is in no wise guilty of the p^r misses above by the said Thomas imposed upon him And of this he putts himselfe upon the Countrey And the plaintiffe likewise Therefore itt is comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c And who neither &c to Recognize &c because as well &c Att wch said sixteenth day of October in the yeare aforesaid came as well the said plaintiffe as the said Defend^t by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt Tho: Hedge, Wm Thomas, Henry Parker, Joseph Tilley, David Holt, John Highland, Morgan Jones, John Warren, John Hollins, Thomas Pattison, Thomas Jones & Robert Mason who being Elected tryed & Sworne to say the truth in the p^r misses upon their Oaths doe say that the said Richard Hill is guilty of the p^r misses above by the said Thomas imposed upon him And they assesse the damage of the said Thomas to fifteen hundred ninety eight pounds of tobacco Therefore itt is considered by the Court here that the said Tho: Bland recover against the said Richard Hill as well the sume of ffifteene hundred ninety eight pounds of tobacco damages by the jurors aforesaid in forme aforesaid assessed As also Sixteen hundred Sixty two pounds of tobacco costs of suite And the Defend^t in mercy &c^a

Robert Ridgely ag^t Oliver Davis
the same ag^t Wm Cauneday
Edward Inglish ag^t James Stavely
} These three actions are Agreed

p. 696 Gerard Slye ag^t Symon Reider } Symon Reader otherwise called Symon Reader late of St Maries County was Sumoned to Answer unto Gerard Slye Sheriffe of the said County in a plea that he render unto him the Sume of foure thousand pounds of tobacco which to him he oweth and unjustly detaineth

And whereupon the said Gerard by Kenelm Cheseldyn his Attorney saith, that whereas the said Symon the fourteenth day of Septemb^r in the second yeare of the Dominion of Charles &c Annoq̃ Doni One thousand six hundred Seventy seven by his certaine writeing Obligatory Sealed with the Seale of him the said Symon & here in Court produced whose date is the same day & yeare above written did own & acknowledge himselfe to be bound & firmly obliged unto him the said Gerard Slye in the just Sum̃e of ffoure thousand pounds of good sound M^rchantable tobacco & cask to be paid to the said Sheriffe or his certaine Attorney Exec^rs or assignes Notwithstanding the said Symon the said Sum̃e of ffoure thousand pounds of tobacco to him the said Gerard according to the tenour of his said writeing obligatory hath not paid, but the same to pay hath altogether denyed & still doth deny, whereupon he saith he is damnified & hath losse to the Value of Eight thousand pounds of tobacco & thereupon he bringeth his suite Liber N N

And the said Symon by Robert Carvile his Attorney cometh & defendeth the force & injury when &c and prayeth hearing of the said writeing obligatory & itt is read unto him, he also prayeth the hearing of the Condicõn of the said writeing & itt is read unto him in these words following Viz^t The Condicõn of this Obligacõn is such That if the above bound Samuel Abbot doe appeare before the Justices of the Provinciall Court att St Maryes the second day of October next to Answer unto Garret Van Sweringen in a plea of trespas on the case And also doe & shall stand to & abide such judgement & finall determinacõn of the said cause as shall be made att the tryall & hearing thereof That then the above Obligacõn to be Void & of none effect Or else the same to stand in full force & Vertue Which being read & heard the said Symon by his Attorney aforesaid prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him the same day is given to the plaintiffe also.

Now here att this day to witt the Sixteenth day of Octob^r in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 came as well the said plaintiffe as the said Defend^t by their Attorneys aforesaid And the Defend^t by his said Attorney saith that the plaintiffe his action aforesaid against him ought not to have, because he saith that the said Samuel Abbot in the Condicõn of the said Obligacõn mencõned did att the said second day of Octob^r in the said Condicõn also mencõned by Nehemiah Blakiston gen^l one of the Attorneys of this Court as Attorney for him the said Symon enter his Apparance before the Justices of the Provincial Court att the suite of the said Garret VanSweringen according to the Condicõn of the said Obligacõn And that upon his entring his Apparance aforesaid, the said Samuel & Symon ought to be discharged from the said Obligacõn haveing performed the Condicõn thereof, & this he is ready to averr & demands judgem^t of the said

Liber N N p. 697 Gerard his Accōn aforesaid against him ought to have &c: And the said Gerard saith, that the said Samuel Abbot did not appeare as above is pleaded by the said Symon Reader, & of this he prayes may be inquired by the Countrey And the Defend^t also Therefore itt is comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to Recognize &c because as well &c Att which said sixteenth day of October in the yeare aforesaid came the said partyes by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt Richard Boughton, John Haslewood, Tho: Doxey, John Doxey, James Rumsey, Tho: Bowdle, Tho: Osborne, Lewis Blangy, Tho: Ball, Henry Howard, Tho: Gilbert & Richard Hodgson who being elected tryed & sworne to say the truth in the p^rmisses upon their Oaths doe say that the said Samuel Abbot did Appeare according to the Condicōn of the aforesaid Obligacōn, Therefore itt is considered by the Court here that the said Symon Reader recover against the said Gerard Slye the sume of pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said Gerard in mercy &c—for his false claime

Robt. Hewit ag^t Tho: Helgar } Thomas Helgar late of Charles County otherwise called Thomas Helgar of Charles County in the Province of Maryland Innholder was Sumoned to Answer unto Robert Hewit in a plea that he render unto him the sume of three thousand nine hundred & Sixty six pounds of tobacco which to him he oweth & unjustly detaineth

And whereupon the said Robert by Henry Bonner his Attorney saith, that whereas the said Thomas upon the Twenty fourth day of October One thousand six hundred seventy seven by his certaine writeing Obligatory Sealed with the Seale of him the said Thomas & here in Court produced whose date is the day & yeare abovesaid was holden & firmly bound unto the said Robert in the full & just Sume of three thousand nine hundred Sixty & six pounds of good M^rchantable leafe tobacco in cask to be paid unto the said Robert his heyres Exec^rs Adm^rs & assignes upon all demands Yet nothwithstanding the said Thomas the said sume of three thousand nine hundred sixty & six pounds of tobacco to him the said Robert though thereunto often requested according to the tenour of the said writeing obligatory hath not paid, but the same to him to pay hath hitherto denyed & still doth deny to the damage of the said Robert five thousand pounds of tobacco & thereupon he bringeth his suite

And the said Thomas Helgar by Robert Carvile his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Eleventh day of Octob^r in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq Doni 1678 came the said Robt Hewit by His Attorney aforesaid And offered himselfe against the said Thomas Helgar in the plea aforesaid, but the said Thomas came not but made default Therefore itt is considered by the Court here that the said Robert Hewitt recover against the said Thomas Helgar as well the aforesaid Sum̃e of three thousand nine hundred Sixty & six pounds of tobacco debt As also ffive hundred forty foure pounds of tobacco costs of suite And the Defend^t in mercy &c

Liber N N p. 698

James Wasse ag^t Wm Hemsley } Wm Hemsley late of Talbot County otherwise called Wm Hemsley practitioner in Phisick & Chirurgery of Talbot County in the Province of Maryland was Sum̃oned to Answer unto James Wasse of a plea that he render unto him the sum̃e of Seven thousand pounds of tobacco which to him he oweth & unjustly detaineth

And whereupon the said James Wasse by Robert Carvile his Attorney saith, that whereas the said Wm Hemsley the second day of ffebruary Anno Doni 167⁶⁄₇ by his certaine writeing Obligatory Sealed with the Seale of him the said Wm Hemsley & here in Court produced whose date is the same day & yeare above written, did acknowledge himselfe to owe & stand indebted & firmly bound unto the said James Wasse Chirurgion of London then in the abovesaid County & Province in the full Sum̃e of Seven thousand pounds of good sound M^rchantable tobacco & cask to be paid unto the said James Wasse his heyres or assignes att some convenient place in Talbot County To wch payment well & truely to be made he did binde himselfe his heyres Ex^rs by those p^rsents Notwithstanding which the said W^m the said sum̃e of Seven thousand pounds of tobacco unto him the said James Wasse hath not paid, but the same to pay hitherto hath & still doth altogether deny to the dam̃age of him the said James ten Thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Wm Hemsley by Kenelm Cheseldyn his Attorney doth come & defend the force & injury when &c and prayeth the hearing of the said writeing & itt is read unto him, he prayeth also the hearing of the Condicōn of the said writeing & itt is read unto him in these words The Condicōn of this Obligacōn is such, that if the above bound Wm Hemsley his heyres Exec^rs Adm^rs or assignes doe well & truely pay or cause to be paid unto Thomas Tailor of Kings Creek or John Stanley or either of them or their assigns for the use of the abovesaid James Wasse the full sum̃e of three Thousand five hundred pounds of sound & bright M^rchantable tobacco & cask picked & culled from ground & under leaves seconds & trash att his own Plantacōn att or upon the tenth of the month October next

Liber N N which will be in the yeare One thousand six hundred seventy & seven Then this Obligacōn to bee void & of none effect Or else to stand in full force & vertue Which being read & heard the said Wm Hemsley by his Attorney aforesaid prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him The same day is given to the plaintiffe also.

p. 699 Now here att this day to witt the Sixteenth day of October In the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 came as well the said plaintiffe as the said Defend^t^ by their Attorneys aforesaid And the said Wm Hemsley by his said Attorney saith, that he is not informed by the said W^m^ of any Answer for the said W^m^ to the aforesaid. James Wasse in the plea aforesaid to be given, & saith nothing else thereupon, by which the said James Wasse remaineth against the aforesaid Wm Hemsley thereof undefended Therefore itt is considered by the Court here, that the said James Wasse recover against the said Wm Hemsley as well the sum̃e of Seven thousand pounds of tobacco debt As also ffive hundred Sixty Eight pounds of tobacco costs of suite And the said Wm Hemsley in mercy &c

Henry Stocket & James Stavely Ad^rs^ Nathl Stiles ag^t^ James Mills Ex^rs^ Samuel Boston	James Mills late of Baltemore County planter Exec^r^ of the last Will & testament of Samuel Boston was Attached to Answer unto Henry Stocket & James Stavely Adm^rs^ of the Goods & Chattels of Nathaniel Stiles in an action of the case

And whereupon the said Henry Stocket & James Stavely by George Parker their Attorney complaine, that whereas the said Samuel Boston the Seventeenth day of June One thousand six hundred seventy & six stood indebted to the said Nathaniel Stiles the full & just quantity of Seven thousand foure hundred & thirty pounds of large & bright tobacco cleare of ground leaves & trash with cask to containe the same, to be well & truely paid unto the said Nathaniel Stiles his heyres Exec^rs^ Adm^rs^ or assignes att or upon the twelfth day of Octob^r^ next ensueing the day above written Notwithstanding which the said Samuel Boston the said Sum̃e of Seven thousand foure hundred & thirty pounds of tobacco although often thereunto required in his life tyme did not pay nor the said James Mills since his death to whom Letters Testamentory of the Goods & Chattels of the said Samuel Boston was com̃itted to the said Nathaniel Stiles in his lifetyme did not pay nor to the said Henry Stocket & James Stavely or either of them to whom letters of Administracōn of the Goods & Chattels of the said Nathaniel was granted since his death although often dem̃anded hath not paid, but the same to pay hath denyed & refused & as yet doth deny & [refus]e whereupon the said Henry & James say they are the worse & have damages to the Value of twelve thousand pounds

of tobacco & thereupon they bring their suite And they bring here into Court the Letters of Administracōn, whereby itt may appeare to the Court here that the said Henry Stocket & James Stavely are Adm^rs of the Goods & Chattels of the said Nathaniel Stiles &c Liber N N

And the said James Mills by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto until next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffes also

Now here at this day to witt the sixteenth day of Octob^r in the third yeare of the Dominion of Charles Lord Baltemore &c Añoq̃ Doni 1678 came the said parties by their Attorneys aforesaid And the Said James Mills by his said Attorney prayeth the hearing of the originall aforesaid & itt is read unto him, which being read & heard he prayeth judgem^t of the Writt & declaracōn aforesaid, for that he saith the Count in the Declaracōn aforesaid is not maintainable by the writt aforesaid, for that the writt is in an accōn of the case And the Count in the Declaracōn is in debt upon simple contract, which is not maintainable by the writt aforesaid, & this he is ready to averr, & therefore demands judgem^t of the writt & Declaracōn aforesaid. Which being read & heard the said Henry Stocket & James Stavely say by their Attorney aforesaid that they will make no farther prosecution against the said James Mills in the plea aforesaid Therefore itt is considered by the Court here that the said James Mills Exec^r as aforesaid recover against the proper Goods & Chattels of the said Henry Stocket & James Stavely the sume of One thousand & foure pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said plaintiffs in mercy for their false plaint &c p. 700

John Weare ag^t James Rumsey } James Rumsey late of Calvert County was Sum̄oned to answer unto John Weare of a plea that justly & without delay he rend^r unto him one Serge suite, one paire of Serge Trowses, one paire of dimity drawers, three blew shirts, one course dowles shirt, two fine dowles shirts, one holland shirt, two holland neckcloathes, one Cambrick neckcloath & letter case of writeings which he unjustly detaineth &c:

And whereupon the said John Weare by Charles Boteler his Attorney saith, that he the said John Weare upon the Eleventh day of March in the yeare of our Lord One thousand six hundred seventy & seven did agree to dwell with the said James Rumsey as Overseer of the Serv^ts of the said James Rumsey upon the plantacōn of the said James where he then dwelt, & did bring all his wearing Apparrell into the house of the said James that is to say, one Serge suite, one paire of Serge Trowses, one paire of dimity drawers, three blew shirts one course dowles shirt, two fine dowles Shirts, one holland shirt, two holland neckcloaths, one Cambrick neckcloath & one letter-

Liber N N case of writeings in the whole to the Value of two thousand pounds of tobacco And the said James further saith that upon the day of being presst to serve the right Honble the Lord Prop^ry under Capt Justinian Gerard against the Emperor of Nantecoke, the aforesaid wearing Cloaths & writeings in the possession of the said James he did leave And afterwards Viz^t upon the twelfth day of April One thousand six hundred seventy eight the said John Weare did returne being dismist from the said service, & the said wearing Apparrell & writeings of the said James did demand & require Yett the said James Rumsey though often thereunto required the said wearing apparrell & writings to him the said John hath not delivered, but the same to deliuer hath denyed & as yett doth deny & unjustly detaine Whereupon the said John saith he is damnified & hath damage to the Value of three thousand pounds
p. 701 Of tobacco & thereupon he brings his suite

And the said James Rumsey by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Sixteenth day of Octob^r in the third yeare of the Dominion of Charles Lord Baltemore &c. Annoq; Doni 1678. came the said parties by their Attorneys aforesaid And the said James Rumsey by his said Attorney saith that he detaineth not the Goods & Chattels from the aforesaid John Weare nor any parcell thereof in forme wherein the said John above against him hath declared And of this he putts himselfe upon the Countrey, & the plaintiffe likewise Whereupon itt is comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to Recognize &c because aswell &c Att which said Sixteenth day of October in the yeare aforesaid came as well the said plaintiffe as the said Defend^t by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt Richard Boughton, John Haslewood, Thomas Doxey, John Doxey, Mark Bromfield, Thomas Bowdle, Tho: Osborne, Lewis Blangy, Tho: Ball, Henry Howard, Thomas Gilbert & Richard Hodgson who being att the barr the said John Weare by his Attorney aforesaid said that he would make no further prosecution against the said James in the plea aforesaid Therefore itt is considered by the Court here that the said James Rumsey recover ag^t the said John Weare the sume of pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said John Weare in mercy &c for his false plaint

John Weare ag^t James Rumsey } James Rumsey late of Calvert Conty was Attached to Answer unto John Weare of a plea of trespas upon the case

And whereupon the said John Weare by Charles

Boteler his Attorney complaineth, that whereas the said James Rumsey upon the ffifteenth day of January in the yeare of our Lord in consideracōn that the said John Weare would pay & deliuer unto him the said James six hogsheads of tobacco & six barrells of Indian Corne, the said James Rumsey did assume upon himselfe & to the said John did faithfully promise, that he the said James when thereunto required would well & truely discharge the said John Weare from one bill for the sum̄ of fourteene hundred pounds of tobacco due unto him the said James from him the said John And also would pay unto one George Lingam Attorney of John & Thomas Dudlestone of Bristoll Merchants the sum̄e of twelve hundred pounds of tobacco, & take in one bill of the said John Weare for the same quantity payable to the said John & Thomas Dudlestone or their assignes And the said John Weare in fact saith, that trusting to the faithfull promise and assumpcōn of him the said James Rumsey made as aforesaid, did pay & deliver unto the said James Rumsey six hogsheads & tobacco & Six barrels of Indian Corne att the plantacōn of in County, which the said James Rumsey did accept & receive for the uses aforesaid Yett the said James Rumsey his promise, & assumpcōn not reguarding but deviseing & fraudulently intending him the said Jn° in that behalfe to deceive & defraud, the aforesaid bill for ffourteen hundred pounds of tobacco payable unto the said James, nor the said bill for Twelve hundred pounds of tobacco payable to John & Tho: Dudlestone he hath not delivered up nor discharged, but the same to deliver up or discharge hitherto hath denyed & as yet doth deny to the dam̄age of the said John Whereupon the said John saith he is damnified & hath losse to the Value of ffive thousand pounds of tobacco & thereupon he bringeth his suite

Liber N N

p. 702

And the said James Rumsey by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Sixteenth day of Octob^r in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1678 came the said parties by their Attorneys aforesaid And the said James by his said Attorney saith that he did not promise, & assume upon himselfe in manner & forme as the said John Weare hath above declared against him And of this he putts himselfe upon the Countrey Whereupon the said John Weare declared that he would make no farther prosecution against the said James Rumsey in the plea aforesaid Therefore itt is considered by the Court here that the said James Rumsey recover ag^t the said John Weare the sum̄e of pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said John Weare in mercy for his false plaint &c

Liber N N Vincent Lowe ag^{t} Tho: Vaughan } George Robins Coron^{r} of Talbot County haveing formerly returned a cepi in this cause And the Defend^{t} not appearing this Court, the said George is amerced forty shillings, & ordered y^{t} he have the body of the Defend^{t} here att the next Provinciall Court

Wm Dare ag^{t} Richard Ladd & ux Ex^{x} Joseph Horsley
Jonathan Sibrey ag^{t} Charles Howell
} These two actions are continued untill next Court

James Congden ag^{t} ffrancis ffowkes } This cause is agreed

p. 703 Wm Smith ag^{t} Robt Neale } Robert Neale late of Charles County otherwise called Robert Neale of St Maryes County in the Province of Maryland was Sum̄oned to Answer unto Wm Smith of a plea that he render unto him two thousand six hundred pounds of tobacco which to him he oweth & unjustly detaineth

And whereupon the said W^{m} by Henry Bonner his Attorney saith, that whereas the said Robert upon the twenty ninth day of January One thousand six hundred seventy six by his certaine writeing obligatory Sealed with the Seale of him the said Robert & here in Court produced whose date is the day & yeare abovesaid did acknowledge himselfe to owe & stand firmly indebted unto the said W^{m} in the sum̄e of two Thousand six hundred pounds of good sound M^{r}chantable tobacco & cask to be paid to the said W^{m} conveniently in Pickawaxen Creek att or before the tenth day of Decemb^{r} next ensueing the date thereof Yet notwthstanding the said Robert the said Sum̄e of two Thousand six hundred pounds of tobacco to him the said W^{m} though often thereunto requested according to the said writeing Obligatory hath not rendred or paid, but the same to him to render or pay hath hitherto denyed & refused & still doth deny & refuse to the dam̄age of the said W^{m} three thousand foure hundred pounds of tobacco and thereupon he bringeth his suite

And the said Robert Neale by Nehemiah Blakiston his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Eleventh day of Octob^{r} in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 cometh as well the said Wm Smith as the said Robert

Neale by their Attorneys aforesaid And the said Robert saith nothing in barr of the action of the aforesaid W^m^ whereby the said W^m^ remaineth against the said Robert thereof wholy undefended Therefore itt is considered by the Court here that the said Wm Smith recover ag^t^ the said Robert Neale as well the sume of two Thousand six hundred pounds of tobacco debt As also fiue hundred forty foure pounds of tobacco costs of Suite And the Defend^t^ in mercy &c Liber N N

Tho: Notley Esqr ag^t^ Gerard Sly
James Collins ag^t^ John Barnes
Michael Basey ag^t^ Tho: Cooke
Jno Maning ag^t^ Jno Price
} These foure actions are agreed

Mr Cheseldyne p. 704

I as Attorney of Bryan Rogers & Comp^a^ doe desire you to acknowledge satisfaction upon the Record of the judgement obtained by them against Robert Carvile & others the Exec^rs^ of Richard Moy deceased And for yor so doeing this shall be yor sufficient Warrant As Witnes my hand this sixth day of Septemb^r^ Anno Doni 1678

As Attorney for the persons abovesaid
p me Robt Grahame

To Kenelm Cheseldyn Esq^s^ Attorney Gen^ll^
one of the Attorneys of the Prov^ll^ Court
Test G VSweringen
Octob^r^ 8th 1678

Satisfaction of the abovesaid judgem^t^ was then acknowledged in open Court by Kenelm Cheseldyn by verture of the above Warr^t^ of Attorney

G VSweringen ag^t^ Dominick Bodkin
} Dominick Bodkin late of St Maryes County M^r^chant was Attached to Answer unto Garrat Van Sweringen of a plea of trespas upon the case

And whereupon the said Garret by Robert Carvile his Attorney saith, that whereas the said Dominick upon the one & thirtieth day of May in the yeare of our Lord One thousand six hundred seventy seven was justly indebted unto the said Garret in the sume of two thousand five hundred ninety five pounds

Liber N N of tob: for divers Goods Wares & Mrchandizes to him the said Dominick by him the said Garret att divers dayes & tymes from the fifth day of May in the yeare of our Lord One thousand six hundred Seventy seven till the said One & thirtieth day of May aforesaid sold & delivered, a particuler whereof is hereunto annexed, He the said Dominick being so indebted did in consideracōn thereof assume upon himselfe & to the said Garret faithfully promise, that he the said Dominick the said sum̄e of two thousand five hundred ninety five pounds of tobacco to him the said Garret when he should be lawfully thereunto required would well & truely content & pay Yet notwithstanding the said Dominick his promise & assumpcōn aforesaid little reguarding but deviseing & fraudulently intending him the said Garret in that behalfe craftily & subtily to defraud & deceive, the said Sum̄e of two Thousand five hundred ninety five pounds of pounds to him the said Garret though often thereunto requested hath not paid or satisfied, but the same to pay & satisfie hath hitherto denyed & refused & still doth deny & refuse to pay the same, to the dam̄age of the said Garret foure thousand pounds of tobacco, & thereupon he bringeth his suite

Att this day to witt the Sixteenth day of Octobr in the third yeare of the Dominion of Charles Lord Baltemore &c Anōq; Dni 1678 came Benjamin Rozer Esqr the Attorney of the said Dominick Bodkin & one of his Lordpps Justices of this Court here prsent in Court in his proper person cometh & defendeth the force & injury when &c And saith nothing in barr of the action of the aforesaid Garret Whereby the said Garret remaineth against the said Dominick
p. 705 Thereof undefended And the said Garret haveing made Oath to the particulars of the accompt in the Declaracōn mencōned Therefore itt is considered by the Court here, that the said Garret VanSweringen recover against the said Dominick Bodkin as well the sum̄e of two thousand five hundred ninety five pounds of tobacco dam̄ages occasioned by the prmisses As also pounds of tobacco costs of suite And the Defendt in mercy &c

Tho: Notley Esqr ag^t Jane Williams Admx Wm Wms — Jane Williams Admistx of all & singuler the Goods Chattels rights & Creditts which were of Wm Williams late of St Maryes County gentl deceased was Sum̄oned to Answer unto the Honble Thomas Notley Esqr chiefe Justice of the Provinciall Court according to the liberties & priviledges to such like chiefe Justices & other Officers & Ministers of the same Court used & allowed, of a plea that she render unto him the full & just quantity of two Thousand five hundred pounds of good sound Mrchantable leafe tobacco & cask to containe itt which from him she unjustly detaineth

And whereupon the said Thomas Notley by Robert Ridgely his

Attorney saith, that whereas the said Wm Williams in his life tyme to witt the ffifteenth day of May Anno Dni One thousand six hundred seventy Eight by his certaine bill Obligatory Sealed with the Seale of him the said William & here in Court produced whose date is the day & yeare aforesaid, did acknowledge himselfe to owe & stand justly indebted unto the said Thomas Notley in the full & just quantity of two Thousand five hundred pounds of good sound M^{r}chantable leafe tobacco & cask to containe itt, to be be paid to the said Thomas Notley his heyres Exec^{rs} Adm^{rs} or assignes convenient in the said County of St Maryes att or before the tenth day of October next ensueing the date of the same bill Obligatory, to the which paym^{t} well & truely to be made the said Wm Williams did binde himselfe his heyres Exec^{rs} & Adm^{rs} firmly by those p^{r}sents Notwithstanding which the said Wm Williams in his life tyme nor the said Jane since his death (to whom Administ^{con} of all and singuler the Goods Chattells rights & Creditts which were of the said Wm Williams in his life Tyme since his death hath bin comitted) the said Sume of two thousand five hundred pounds of tobacco to him the said Thomas Notley according to the tenour of the said Bill Obligatory although often thereunto required hath not paid or satisfied, but the same to pay or or satisfie hath denyed & as yet doth deny whereupon the said Thomas Notley saith he is damnified & hath losse to the Value of three thousand pounds of tobacco & thereupon he produceth his suite Liber N N

And the said Jane Williams by Kenelm Cheseldyn her Attorney cometh & defendeth the force & injury when &c And saith that she can say nothing in barr of the action of the said Thomas, but that the said Thomas the said Sume of two thousand five hundred pounds of tobacco above declared for ought to recove^{r} out of the Estate of the said Wm Williams Therefore itt is consid^{r}ed by the Court here that the said Thomas Notley recover against the Estate of the said Wm Williams as well the said sume of two thousand five hundred pounds of tobacco debt As also ffive hundred & Sixteen pounds of tobacco costs of suite And the Defend^{t} in mercy &c p. 706

Peter Quodman ag^{t} Jno Browning Adm^{r} Jno Gilbert	John Browning late of Cecil County Adm^{r} of the Goods and Chattels of John Gilbert was Attached to Answer unto Peter Quodman of a plea of trespas of the case

And whereupon the said Peter by George Parker his Attorney complaineth, that whereas the said John upon the twenty ninth day of August in the yeare of our Lord One thousand six hundred sixty nine the said Peter did att Jamaica shipp severall Goods in the Speedwell of London & Consigned them to the said John Gilbert for Sale & returnes for the best proffit of the said Peter Quodman, he the said John Gilbert received the same & disposed thereof And by an account thereof under his hand & hereunto pro-

Liber N N duced did upon the tenth day of September in the yeare of our Lord One thousand six hundred seventy foure confesse himselfe Debto^r^ to the said Peter Quodman the Sum̃e of twenty nine pounds five shillings & six pence money ster^l^ being the produce of twelve hogsheads of tobacco Shipped home for England upon the account of the produc[e] of the said Goods As also the sum̃e of Six thousand & Seventy pounds of tobacco for debts secured in his the said John Gilberts own name as then yet unpaid In consideracō̃n whereof the said John Gilber[t] did assume upon himself & to the said Peter Quodman faithfully promise that he the said John Gilbert the said sum̃e of Twenty nin[e] pounds five shillings & six pence ster^l^ & Six thousand & Seventy pounds of tobacco to him the said Peter when thereunto lawfully requested would well & truely content & pay Yet nothwithstanding the said John Gilbert in his life tyme nor the said John Browning his Adm^r^ since his death the said Sum̃e of Twenty nine pounds five shillings & Six pence ster^l^ to him the said Peter hath not paid or satisfied though often thereunto requested, but the same to pay hath hitherto denyed & refused & still doe deny the same to the dam̃age of the said Peter Twenty thousand pounds of tobacco and thereupon he bringeth his suite

And the said John Browning by Robert Carvile his Attorny cometh & defendeth the force & injury when &c and saith that he can say nothing in barr of the action of the said Peter, but that the said Peter the said severall Sum̃es declared for ought to recover ou[t] of the Estate of the said John Gilbert when assets comes to the hands of the said John Browning his Adm^r^ Therefore itt is considered by the Court here this Eleventh day of October in the third yeare of the
p. 706[a] Dominion of Charles Lord Baltemore &c Annoꝫ Domini 1678 that the said Peter Quodman doe recover ag^t^ the Estate of the said John Gilbert the said sum̃es of Twenty nine pounds five shillings & six pence sterling And six thousand & Seventy pounds of tobacco dam̃ages occasioned by the p^r^misses As also pounds of tobacco costs of suite And the Defend^t^ in mercy &c

I doe hereby impower & authorize you to appeare for me to an action brought by Peter Quodman M^r^chant against me as Adm^r^ of John Gilbert And to confesse judgem^t^ thereunto in a plea of trespas of the case, & for so doeing this shall be your sufficient warrant As wittnes my hand & Seale this Eleaventh day of October Anno Doni 1678

To Robert Carvile gent^l^ one of Attorneys of the Provinciall Court — Jno Browning (sealed)

Test Vall Shukburgh

Jacob Young ag^t^ Mary Seames } Mary Seames late of Cecil County was Attached to answer unto Jacob Young in a plea of trespas upon the case

And whereupon the said Jacob by Kenelm Chesel-

dyn his Attorney complaineth, that whereas by an Act of Assembly made att the Citty of St Maryes in the yeare of the Dominion of &c and in the yeare of our Lord One thousand six hundred Seventy two & continued to this p^rsent day amongst other things itt was Enacted. That any Servant or Servants whatsoever unlawfully absenting him her or themselves from his or their said Master Mistris or Dame or Overseer shall serve tenn dayes for every one dayes absence to be judged when such Master Mistris or Dame shall bring the said Servant before the Justices of the Provinciall or County Court as by the Act more att large itt doth more fully appeare And the said Jacob in fact saith, that the said Mary was Servant to him the said Jacob & dureing the said tyme of servitude did absent herselfe unlawfully from the service of him the said Jacob for the space of three hundred sixty five dayes or one yeare, to witt from the first day of January One thousand six hundred Seventy foure untill the first day of January One thousand six hundred Seventy five By which accōn accrueth to the said Jacob to demand service of the said Mary according to the said Act Notwithstanding which the said Mary service according to the said Act to him the said Jacob to render hitherto hath & still denyes to render To the damage of the said Jacob foure thousand pounds of tobacco, & thereupon he bringeth his suite Liber N N

And the said Mary Seames by Robert Ridgely her Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto her, the same day is given to the plaintiffe also

Now here att this day to witt the twelfth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq Doni 1678 cometh as well the said plaintiffe as the said Defend^t by their Attorneys aforesaid And the said Mary by her said Attorney saith, that she is not guilty of the p^rmisses above by the said Jacob imposed upon her And of this she putts herselfe upon the Countrey And the said Jacob also Whereupon itt is comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c Att which said twelfth day of October in the yeare aforesaid cometh the said parties by their Attorneys aforesaid And the Jurors impannelled being called likewise come to witt Richard Boughton, Robert Mason, Thomas Doxey, John Doxey, James Rumsey, Tho: Bowdle, Thomas Osborne, Lewis Blangy, Thomas Ball, Henry Howard, Thomas Gilbert & Richard Hodgson, who being Elected tryed & Sworne to say the truth in the p^rmisses upon their Oaths doe, say that the said Mary Seames is not guilty of the p^rmisses above by the said Jacob imposed upon her Therefore itt is considered that the said Jacob take nothing by his writt aforesaid but be in mercy for his false plaint thereupon prosecuted And that the said Mary may goe thereof p. 707

Liber N N without day And that the aforesaid Mary recover against the said Jacob Young the Sum̃e of two Thousand five hundred & twenty pounds of tobacco for her costs & charges by her about her defence in this behalfe laid out & expended, to the said Mary by the discretion of the Justices here adjudged And that the said Mary May have thereof Execucōn.

Jn° Whittington agt G VSweringen } Garrat VanSweringen late of St Maryes County was attached to Answer unto John Whittington in a plea of trespass upon the case

And whereupon the said John by Kenelm Cheseldyn his Attorney saith, that whereas the said Garret the tenth day of Septembr One thousand Six hundred Seventy eight was indebted unto the said John the sum̃e of Fourteen thousand pounds of tobacco In consideracōn whereof the said Garrat assumed upon himselfe & to the said John did faithfully promise the same when required to him the said John would faithfully content & pay Notwithstanding wch the said Garret the same hath not paid, but the same to him to pay hitherto hath & still denyes to the dam̃age of the said John ffourteen thousand pounds of tobacco & thereupon he bringeth his suite

And the said Garret VanSweringen in his proper person cometh & defendeth the force & injury when &c and saith that he can say nothing in barr of the accōn of the said John, but that the said John ought to recover against the said Garrat the aforesaid Sum̃e of fourteen thousand pounds of tobacco Therefore itt is considered by the Court here that the said John Whittington recover against the said Garrat VanSweringen as well the aforesaid Sum̃e of fourteen thousand pounds of tobacco dam̃ages occasioned by the prmisses As also pounds of tobacco cost of suite And the Defendt in mercy &c

p.708 Propry agt Mary Roe Exx of Edwd Roe } Memorandum that att a Provinciall Court held the Eighth day of Octobr in the third yeare of the Dominion of Charles absolute Lord & Propry of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c and in the yeare of our Lord One thousand six hundred Seventy Eight here prsent in Court Kenelm Cheseldyn Attorney Genll of the Lord Propry aforesaid who for the said Lord Propry in this behalfe followeth exhibitteth to the Court here his certaine Informacōn of debt against Mary Roe Execx of the last Will and testament of Edward Roe deceased thereby giveing the Court to understand & be informed

That whereas the said Edward Roe in his life tyme to witt the fourth day of September in the yeare of our Lord One thousand six hundred seventy five, did by his certaine writeing Obligatory Sealed with the Seale of the said Edward here in Court produced whose date

is the same day & yeare abovesaid did binde himselfe his heyres Liber N N
Exec^{rs} Adm^{rs} to pay unto the Hon^{be} Charles Calvert now Lord & Prop^{ry} of the Province of Maryland as aforesaid his heyres Exec^{rs} Adm^{rs} or assignes the sum̃e of One thousand pounds of good sound M^{r}chantable tobacco & cask upon demand in some convenient place in Petuxent River Notwithstanding which the said Edward Roe in his life tyme the same hath not paid according to the tenour of the said writeing obligatory to the said Charles Calvert Esqr now Lord & Prop^{ry} of the Province of Maryland as aforesaid, nor the said Mary since his death Ex^{x} of the last Will & Testament of the said Edward, but the same to pay hitherto hath & still denyes to pay to the damage of the said Charles Calvert now Lord & Prop^{ry} as aforesaid the sum̃e of three Thousand pounds of tobacco Whereupon the said Kenelm Attorney Gen^{ll} as aforesaid craveth advice in the p^{r}misses & that the said Mary may come here into Court & answer in & upon the same

And the said Mary Roe by William Crosse her Attorney cometh & defendeth the force & injury when &c and saith that she can say nothing in barr of the action of the said Kenelm Cheseldyn Attorney Gen^{ll} as aforesaid, but that the said Kenelm Attorney Gen^{ll} the said Sum̃e of One thousand pounds of tobacco declared for ought to recover out of the Estate of the said Edward Roe Therefore itt is considered by the Court here this Eleventh day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 that the said Kenelm Cheseldyn Attorney Gen^{ll} as aforesaid recover against the Estate of the said Edward Roe as well the aforesaid Sum̃e of One thousand pounds of tobacco debt As also five hundred Sixty Eight pounds of tobacco costs of suite And the Defend^{t} in mercy &c^{a}

Tho: Marsh ag^{t} Richd Baily } Richard Baily late of Talbot County was Sum̃oned to answer unto Thomas Marsh of a plea that he render unto him ffive thousand two hundred pounds of tobacco which to him he oweth & unjustly detaineth p. 709

And whereupon the said Thomas by Robert Carvile his Attorney saith, that whereas the said Richard upon the day of in the yeare One thousand six hundred Seventy six by his certaine Obligacõn Sealed with the Seale of him the said Richard & here in Court produced whose date is the day & yeare abovesaid, did confesse & acknowledge himselfe to owe & stand indebted to the said Thomas in the sum̃e of five thousand two hundred pounds of good sound M^{r} chantable tobacco with cask to be paid upon his own plantacõn att or before the tenth day of October then next Yet the said Richard the said Sum̃e of five thousand two hundred pounds of tobacco to him the said Thomas though often thereunto requested hath not paid, but the same to pay hath hitherto denyed & refused

Liber N N & still doth deny & refuse to the damage of the said Thomas tenn Thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Richard Baily by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c And saith that he can say nothing in barr of the action of the said Thomas Marsh, but that the said Thomas ought to recover against the said Richard the aforesaid Sume of five thousand two hundred pounds of tobacco Therefore itt is considered by the Court here this day to witt the Eleventh day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq; Domini 1678 that the said Thomas Marsh recover against the said Richard Baily as well the sume of ffive thousand two hundred pounds of tobacco debt As also pounds of tobacco costs of suite And the Defend^t in mercy &c

Mr Cheseldyne

I desire you to appeare for me att the suite of Thomas Marsh, and confesse judgem^t for me in an action of debt for ffive thousand two hundred pounds of tobacco with costs of suite And see my bill delivered upp & cancelled And for yor so doeing this shall be your sufficient warrant As wittnes my hand & Seale this ninth day of October Anno Doni 1678

To Kenelm Cheseldyn Esqr Attorney Richard Bayley (sealed)
Gen^ll or any other Attorney of
the Provinciall Court
Testes Tho: Bland Tho: Long

Robt Purington who as well &c ag^t Tho: Wynn } Bee it remembred that upon the Eleventh day of October in the yeare of our Lord One thousand six hundred Seventy Eight came Robert Purington of St Maryes County who as well for the Honble his Lordpp the Lord Prop^ry as for himselfe followeth in his proper person & exhibitteth to the Justices here his certaine Informacōn against Thomas Wynn Deputy or UnderSheriffe of
p. 710 the County of St Marys And Cryer of this Court here p^rsent in Court, the tenour of which Informacoñ followeth in these words

Bee itt remembered that Robert Purrington of St Maryes County who as well for his Lordpp the Lord Prop^ry as for himselfe followeth giveth the Court here to understand & be informed That whereas by Act of Assembly made att a Generall Assembly begun & held att the City of St Maryes the ffifteenth day of May in the yeare of our Lord One thousand six hundred Seventy six Intituled an Act for lymitacōn of Officers ffees, itt was amongst other things Enacted, that from & after the publicacōn thereof no Officer or Officers thereafter mencoñed their Ministers Servants or Deputies by reason or colour of his or their Office or Offices have received or taken of any person or persons directly or indirectly any other ffees

then by the said Act is allowed to the severall Officers thereafter Liber N N
mencoñed And amongst other Officers ffees therein mencōned &
sett down itt is mencōned To the Sheriffe for serving any writt or
warrant p head & bayle bond thirty & five pounds of tobacco, For
tending upon a Prisoner p day of twenty foure houres in custody
twenty pounds of tobacco, For collecting publick dutyes tenn pounds
of tobacco p Cent, for serving an Execucōn or Attachm^t tenn pounds
of tobacco If the Execucōn be for above one hundred & under five
hundred pounds of tobacco ffifty pounds of tobacco, if itt exceed
fiue hundred One hundred pounds of tobacco, if itt exceed One
thousand then for the first One thousand One hundred pounds of
tobacco And for every one thousand afterwards ffifty pd̄s of tobacco.
For any extraordinary warrant or Comission the ffee to be regulated
by the Court, for impannelling a jury one hundred & twenty pounds
of tobacco Provided allwayes that in case any person shalle refuse
to pay the same ffees by the said Act lymitted & allowed Itt shall &
may be lawfull for the severall Officers therein named to recover the
same by way of Execucōn against the Goods or body of the person
so refuseing & no other And in case any shall doe directly or in-
directly to this Act shall loose or forfeit to the party grieved treble
damages And shall also forfeit the Sume of six thousand pounds of
tobacco or forty pounds sterling for every tyme he or they shall so
doe the contrary, the one moiety to the Lord Prop^ty his heyres &
successors the other moiety to the party or partyes that shall sue
for the same by any plaint action suite bill or Informacōn wherein
no Essoyne protection or wager of Law shall be allowed As by the
said Act relacoñ being thereunto had may more fully & att large
appeare Yet the said Thomas being Deputy or UnderSheriffe to
Gerard Slye gent^l high Sheriffe of the said County of St Maryes
the said Act of Assembly little reguarding or the penaltyes therein
contained fearing after the publicacōn of the said Act to witt upon
the twenty fourth day of Septemb^r in the yeare of our Lord One
thousand Six hundred Seventy seven, he the said Thomas Wynn p. 711
as Deputy or UnderSheriffe aforesaid by vertue of two severall
writts issued out of his Lordpps Provinciall Court dated the twenty
third day of June One thousand six hundred Seventy seven &
returnable before the Justices thereof the second day of Octob^r then
following one att the suite of George Yate against the said Robt
Purrington in the said writt named Christopher Gest in a plea of
debt of Twelve thousand pounds of tobacco And the other att the
suite of John Quigley against the said Robert Purington in an action
of debt for the Sume of Eleven thousand one hundred & Sixty
pounds of tobacco To the Sheriff of St Maryes County directed,
att the City of St Maryes the body of the said Robert Purrington
did Arrest & carryed him to the house of Richard Chillman Inn-
holder of the City of St Maryes & his body there in prison did

Liber N N detaine & keep for foure dayes that is to say from the said Twenty fourth day of October in the morning of the same day till the twenty seventh day of the same October, att which tyme the said Robert Purrington had agreed with his said Credito^rs^ att whose severall suites he was so Arrested, but before the said Thomas Wynne Deputy or UnderSheriffe as aforesaid would permitt or suffer the said Robert Purrington to goe att large or him release he caused the said Robert upon the twenty seventh day of Octob^r^ aforesaid at the house of Richard Chillman in St Maryes City aforesaid to Seale signe & as his Act & Deed to deliver a bill to him the said Thomas Wynne for the use of Gerard Sly Sheriffe of St Maryes County aforesaid in whose name the same was taken for the payment of Twelve hundred & Sixty pounds of tobacco for the ffees of the severall Arrests Imprisonments & attendance upon the said Robert And also to pay unto the said Richard Chillman the sum̃e of ffoure hundred pounds of tobacco for the Accomodacōn of the Thomas Wynne & Robert Purington for the said foure dayes, which said twelve hundred & Sixty pounds of tobacco due upon the bill aforesaid the said Robert Purington hath paid & satisfied to the order of the said Thomas Wynne, whereby the said Thomas Wynne by colour of his Office of UnderSheriffe as aforesaid had extorted from the said Robert Purington above the rate of Thirty five pounds of tobacco for serveing the severall writts aforesaid & twenty pounds of tobacco p day for tending on a Prisoner contrary to the forme of the said Act of Assembly Whereupon the said Robert Purington who as well for the Lord Prop^ry^ as for himselfe in this behalfe prosecuteth prayeth the advice of the Court herein the p^r^misses, And that the said said Thomas Wynne may forfeit the said sum̃e of Six thousands pounds of tobacco or forty pounds sterling for his said offence against the forme of the Act aforesaid And that the said Robert who as well for the Lord Prop^ry^ as himselfe prosecuteth may have the moiety of the said forfeiture & his treble dam̃ages to him the said Robert to be adjudged according to the forme & effect of the Act of Assembly aforesaid And that the said Thomas Wynne now here p^r^sent in Court may Answer the p^r^misses.

And the said Thomas Wynne in his proper person cometh & defendeth the force & injury when &c and saith that he can say
p. 712 nothing in barr of the Informacōn aforesaid for that he Is guilty of the breach of the Act in the Informacoñ mencōned Therefore itt is considered by the Court here that the Lord Prop^ry^ recover against the said Thomas Wynne the sum̃e of Six thousand pounds of tobacco or forty pounds sterling being the forfeiture upon the breach of the Act aforesaid And itt is further considered that the said Robert Purington als Christopher Gest doe recover against the said Thomas Wynne his treble dam̃ages sustained by occasion of the p^r^misses amounting to the sum̃e of three thousand seven hundred

& Eighty pounds of Tobacco And the said Robert doth crave that the moiety of the forfeiture aforesaid may be to him adjudged for prosecuting the said Thomas Wynne upon breach of the Act aforesaid, & itt is granted unto him Therefore itt is considered by the Court here that the said Robert Purrington doe recover against the said Thomas Wynne the sum̃e of three thousand pounds of tobacco or twenty pounds sterling being the moiety of the forfeiture aforesaid, together w̃ith five hundred & forty pounds of tobacco costs of suite And the said Thomas Wynne in mercy &c Liber N N

Wm Dare Admr
John Parker
agt
John Nuthall

John Nuthall late of Calvert County planter otherwise called John Nuthall of St Maryes County was Sumōned to Answer unto Wm Dare Admr of all & singuler the Goods Chattells rights & Creditts which were of John Parker deceased of a plea that that he render unto him the Sum̃e of ffifteen thousand two hundred & fourteen pounds of Mrchantable tobacco & cask which from him he unjustly detaineth

And whereupon the said Wm Dare by Robert Ridgely his Attorney saith, that whereas the said John Nuthall the tenth day of June One thousand six hundred & Seventy by his certaine writeing obligatory sealed with the Seale of the said John Nuthall & here in Court produced whose date is the day & yeare aforesaid, did binde himselfe his heyres Exrs Admrs & assignes in the penall sum̃e of ffifteen thousand two hundred & fourteen pounds of tobacco & cask for a Valuable consideracōn by him the said John Nuthall in hand allready received to pay or cause to be paid unto the said John Parker English Mrchant his heyres or assignes the neat quantity of Seven thousand Six hundred & Seven pounds of the like Mrchantable tobacco & cask To which payment well & truely to be made att some convenient place in St Maryes County att or before the tenth day of October next ensueing the date of the same writeing obligatory the said John Nuthall did binde himselfe his heyres Exrs Admrs or assignes Yet the aforesaid John Nuthall the aforesaid Sum̃e of Seven thousand Six hundred & seven pounds of tobacco to him the said John Parker in his life tyme, nor to the said William since his death to whom Administracōn of all & singuler the Goods Chattels rights and Creditts which were of the said John Parker in his life tyme since his death hath bin com̃itted according to the tenour of his said writeing obligatory although often thereunto required Hath not paid, but the same to pay hath denyed & as yet doth deny, by reason whereof action hath accrued to the said Wm as Admr of the said John to require & have of the said John Nuthall the said penall sum̃e of ffifteen thousand two hundred & fourteen pounds of tobacco according to the tenor of the writeing obligatory aforesaid And thereupon he bringeth his suite~And the aforesaid Wm Dare bringeth into Court here the Letters of Admcōn to him granted upon the Estate of the said John p. 713

Liber N N Barker that itt may appeare to the Court here that he thereof hath the Admcōn.

And the said John Nuthall in his proper person cometh & defendeth the force & injury when &c and saith, that as to three thousand One hundred forty nine pounds of tobacco part of the sum̃e in the declaracōn mencōned he cannot gainsay, for that the same remaines due upon the aforesaid writeing obligatory, the residue thereof being allready satisfied & paid Therefore itt is considered by the Court here this day to witt the Eleventh day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 that the said Wm Dare Adm^r^ as aforesaid recover against the said John Nuthall as well the aforesaid sum̃e of three thousand One hundred forty & nine pounds of tobacco part of the debt aforesaid & As also five hundred Seventy two pounds of tobacco costs of suite And the said John Nuthall in mercy &c And the said John of the residue of the debt aforesaid may goe from thence without day &c

Edward Man ag^t^ John Atkey	The Defend^ts^ by Robert Ridgely their Attorney appeare and imparle untill next Court . . .
the same ag^t^ John Quigley	
David Jones ag^t^ Tho: Todd Ex^r^ Tho: Todd	
John Aylward ag^t^ Tho: Clarke	
Clement Hill ag^t^ George Oldfield	
Robt Ellys ag^t^ John Quigley	
Marke Cordea ag^t^ John Quigley	

p. 714 Jonathan Sibrey ag^t^ Henry Penington — The Coroner of Cecil County haveing returned a cepi in this cause, And no declaracōn as yet filed Itt is ordered (by consent of Robt Ridgely the Def^ts^ Attorney) that unlesse the plaintiffe file his declaracōn within tenn dayes after the last day of this Court, a Nonsuite be Awarded ag^t^ him

Liber N N

Henry Stocket & Ja: Stavely Ex^rs Nath: Stiles ag^t Henry Johnson & ux Adm^x Nathl Vtie
Mary Ward Ex^x Matthew Warde ag^t John Quigley
Garrat VSweringen Adm^r Jno Deery ag^t the same
the same ag^t the same
Jno & Tho: Dudlestone ag^t Tho: Tasker & ux Ex^x Jno Brooke
Ken: Cheseldyn Ex^r John Jones ag^t John Quigley
the same ag^t Marke Cordea
Tho: Carlisle & al Ex^rs Jno Cunningham ag^t Tho: Bennet
Henry Stocket ag^t James Stavely
Richard Attwood ag^t Marke Cordea
Richard Royston ag^t Tho: Vaughan

The Defend^ts by Robt Ridgely their Attorney appeare and imparle untill next Court

Tho: Jones ag^t James Mills — James Mills late of Baltemore County planter was Attached to answer unto Thomas Jones Sloopman of a plea of trespas upon the case p. 715

And whereupon the said Thomas Jones by Robert Ridgely his Attorney complaineth, that whereas he the said Thomas

Liber N N for divers yeares last past hath kept a Sloop of his own with two men & himselfe in her to hire out to any person that would imploy him & his said Sloop & men for the fetching carrying & transporting of any goods or M^r^chandizes from one place to another in this Province And whereas the said James the first day of May One thousand Six hundred Seventy seven att St Maryes in the said Province in consideracoñ that the said Thomas with his said Sloop & men would serve the said James in fetching down horses or other Goods from Baltemore or Cecil County in the said Province & the same deliver in St Maryes River, the said James did assume upon himselfe & to the said Thomas then & there faithfully promise, that for every turn the said Thomas should make with his said sloop & men, the said James would not only finde sufficient provision for the said Thomas & the said two men in the said Sloop, but also would pay unto him Thirteen hundred pounds of tobacco a turn as aforesaid And further if the said Thomas with his said Sloop when he should come and arrive in Baltemore County aforesaid should stay for his loading above foure dayes after their Arrivall there & giveing the said James due notice thereof, then for every day longer that the Sloop should stay there more then foure dayes for want of their loading aforesaid, the said James would pay unto the said Thomas for every dayes demurrage of the said Sloop & men what should be reasonable And the said Thomas in fact saith, that trusting to the faithful promise & assumpcōn of the said James to him the said Thomas so as aforesaid made, he the said Thomas the second day of May in the yeare aforesaid with his said Sloop & men did sayle up from St Maryes River aforesaid, unto Baltemore County aforesaid, & there arrived with his said Sloop, & gave notice thereof to the said James the Eighth day of the same May & there stayed for his loading untill the twenty fourth day of the same May then next following which was twelve dayes demurrage over & above the said foure dayes so concluded to be allowed him as aforesaid And further saith, that the said Thomas between the first day of June then next following & the twenty Eighth day of the same June did with his Sloop & men make one Voyage or turn more for the said James Mills in which tyme the said Sloop & men lay after notice given to the said James of their Arrivall as aforesaid above the said foure dayes so concluded to be allowed as aforesaid twelve dayes more that is to say from the Eighth day of June aforesaid to the twentieth day of the same June And the said Thomas further saith, that between the Eighth day of August then next following & the twenty fourth of the same, the said Thomas & his Sloop & men did make one Voyage or turn more for the said James, in which tyme the said Sloop & men lay after notice giuen to the said James of their Arrivall as aforesaid above the said foure dayes so concluded to be

allowed as aforesaid six dayes more, that is to say from the Sixteenth to the twenty second of the same August, which said three Voyages or turnes so by the said Thomas & his Sloop & men made for the said James as aforesaid amounts to as by Agreem^t three thousand nine hundred pounds of tobacco And which said dayes of Demurrage made by the said Sloop & men by default of the said James by not haveing her loading ready in foure dayes after her arrivall & notice to him given as aforesaid according to Agreem^t as aforesaid amounting to thirty dayes demurrage in the whole the said Thomas saith he for the same doth reasonably deserve to haue the sum̃e of One hundred pounds of tobacco p day which amounteth to the sum̃e of three thousand pd̃s of tobacco, which with the said three thousand nine hundred pounds of tobacco due for the three turnes as aforesaid amounteth to in the whole the sum̃e of six thousand nine hundred pounds of tobacco Yet the said James Mills his promise & assumpcōn so as aforesaid made not reguarding, but deviseing & fraudulently intending him the said Thomas Jones of the said Six thousand nine hundred pounds of tobacco to him so due as aforesaid to deceive & defraud, the said Six thousand nine hundred pounds of tobacco to him the said Thomas although often thereunto required hath not paid or satisfied, but the same to pay or satisfie hath denyed & as yet doth deny to the dam̃age of the said Thomas tenn thousand pounds of tobacco & thereupon he bringeth his suite

Liber N N p. 716

And the said James Mills by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Sixteenth day of Octob^r in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 cometh as well the said plaintiffe as the said Defend^t by their Attorneys aforesaid And the said James by his said Attorney saith, that he did not assume upon himselfe in manner & forme as the said Thomas Jones hath above declared against him And of this he prayes the judgem^t of the Court And the plaintiffe also And hereupon the declaracōn & plea aforesaid being read & by the Justices here fully understood Itt is considered that the said Thomas Jones recover against the said James Mills as well the sum̃e of three thousand One hundred ninety Eight pounds of tobacco dam̃ages occasioned by the p^rmisses As also Six hundred sixty six pounds of tobacco costs of suite And the Defend^t in mercy &c

John Darnall ag^t Wm Harris } This action is continued untill next Court

Liber N N

Tho: Sprigg ag^{t} Edward Man Henry Hooper ag^{t} Tho: Snell Ad^{r} Jno Cornish	The Defend^{ts} by Wm Crosse their Attorney appeare & imparle untill next Court

p. 717 Upon the peticōn of Wm Upton, that he was a Servant by Indenture to one John Price of London Marryner, who sold him to one John Morrice of Barbados for three yeares according to the tenour of his Indenture, who afterwards sold him to Thomas Doxey of St Maryes County & by him was sold to John Doxey his now Master, That he hath casually lost his Indenture so that his Master (although his terme of three yeares is expired) will not discharge him And therfore humbly prayed to be discharged, & an ord^{r} of this Court for his freedome Corne & Cloaths. Whereupon & upon Oath, made in open Court that there was such Indenture as aforesaid Itt is the judgem^{t} of the Court here this day to witt the twelfth day of Octob^{r} in the third yeare of the Dominion of Charles Lord Baltimore &c Annoq̃ Doni 1678 that the said Wm Upton is free And itt is ordered that the said John Doxey pay unto the said W^{m} his freedom Corne and Cloaths according to Act of Assembly

Mary Roe Ex^{x} Edwd Roe ag^{t} Jno Ingram	Upon mocōn made to the Court here this day to witt the ffifteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 by Robert Carvile the Attorney of Mary Roe Exec^{x} of the last Will & testam^{t} of

Edward Roe deceased that a former order of this Court made upon an Attachm^{t} returned to this Court against the Estate of John Ingram att the suite of the said Mary being out of date And the tyme therein lymitted for proceeding according to the contents thereof against the severall persons in whose hands the debts due to Ingram doe remaine & Attached as aforesaid And for giveing security as in the said order is mencōned being elapsed, did humbly crave that the said Order might be continued for one whole yeare longer, which was accordingly ordered by the Court here

Costs allowed Wittnesses

Allowed to Edward Turner for comeing goeing & attendance to give in his Evidence for Wm Singleton att the suite of Richard Lloyd in all Eight dayes att thirty pounds of tobacco p diem, two hundred & forty pounds of tobacco

Allowed to Joseph Grey of St Maryes County being Sumoned to testifie for Wm Thomas & Robert Mason att the suite of Thomas Jones for comeing going & attendance in all Nine dayes two hundred & seventy pounds of tobacco Liber N N

Allowed to Henry Parker & Thomas Barnes of Talbot County being Sumoned to testifie for Thomas Mountford against James Wasse for comeing goeing & attendance in all Twelve dayes att thirty pd̃s of tobacco p diem, three hundred & Sixty pounds of tobacco Each

Richard Mitchel ag^{t} Charles Hea
Mary Ward Ex^{x} Matthew Ward ag^{t} Tho: Pattison
} The Defend^{ts} by Kenelm Cheseldyn their Attorney appeare & imparle untill next Court

Kenelm Cheseldyn Ex^{r} John Jones ag^{t} Randolph Brandt
Robert Carvile ag^{t} John Tennison
Kenelm Cheseldyn ag^{t} James Ives
the same ag^{t} John Ireland
Robert Doyne ag^{t} John Davis
Thomas Gilbert ag^{t} Daniel Clarke Ex^{r} Edward Sauvage
Robert Ridgely ag^{t} James Philips
the same ag^{t} Mary Clements
Elizabeth Green ag^{t} Richard Chillman
} These ffourteen actions are agreed

p. 718

Liber N N Robert Carvile
ag^{t}
Tho: Jones & ux

Mary Warde Ex^{x}
Matthew Warde
ag^{t}
Raymond Stapelfort

John & Thomas
Dudlestone
ag^{t}
Edward Gibbs

Richard Royston
ag^{t}
W^{m} ffawson

Robert Carvile
ag^{t}
Tho: Bowdle

p. 719 Robert Carvile
ag^{t}
John Browning

the same
ag^{t}
Thomas Hedge

John Edmondson
ag^{t}
John Ireland

Justinian Tennison
ag^{t}
Matthew Davis

Marine Duvall
ag^{t}
Tho: Pattison

John Miller
ag^{t}
John Groves

Ken^{m} Mackloughlin
ag^{t}
Tho: Russell

Jno Blomfield
ag^{t}
Garrat VSweringen

These Eight actions are agreed

Robert Carvile
ag^{t}
Garrat VSweringen

Liber N N

James Rigby Exr
Wm Drury
agt
Hugh Merrikin
Robert Carvile
agt
Garrat VSweringen
Admr John Deery
Lewis Blangy & ux
Admx Disborah Bennet
agt
Tho: Brite

The Defendts by Kenelm Cheseldyn their Attorney appeare & imparle untill next Court

John Darnall
agt
Wm Harris

This cause is continued untill next Court

p. 720

Kenelm Cheseldyn Esqr
Attorney Genll
agt
Mary Warde Execx
Matthew Warde
the same
agt
Vincent Lowe
Christopher Rousby
agt
Garrat VSweringen
John Hartwell
agt
Tho: Keyting
George Lewen
agt
James Derumple &
ux Exx Jno Clements
Thomas Doxey
agt
John Evans
Thomas Bland
agt
Edward Dorsey
Richard Edelen Exr
Samuel Cressey
agt
Thomas Clarke

The Defendt by Robert Carvile their Attorney appeare and imparle next Court

Liber N N Christopher Spry & ux Ad^x Jno Hales ag^t Robert Large
James Lewis ag^t Miles Grey
Edward Pynn ag^t Jonathan Sibrey

John Halls ag^t John Stansby
Wm Gaskin ag^t Wm Hemsley
The Defend^ts by Kenelm Cheseldyn their Attorney appear & imparle untill next Court

p. 721 John Machen ag^t John Sanders The Defend^t in June Court last was remanded to the Sheriffe of Charles County, who was ordered to haue his body here this Court—Now here this day to witt the ffifteenth day of Octob^r in the third yeare of the Dominion of Charles &c Annoq̃ Dni 1678 Wm Chandler high Sheriffe of the County aforesaid being solemnly called came not to bring the body of the Def^t into Court according to the Order aforesaid

Cartwrights Ex^rs ag^t Tho: Mountfort Comand was given to the Sheriffe of Talbot County That whereas Demetrius Cartwright deceased the Seventeenth day of April Annoq̃ Doni One thousand six hundred Seventy foure, & in in the two & fortieth yeare of the Dominion of Cecilius &c before the Justices of the Provinciall Court recovered judgement against Thomas Mountford for Six thousand Eighty three pounds of tobacco damages & three hundred & eight pounds of tobacco costs of suite for which satisfaccon̄ remaineth to be made, Therefore itt was comanded the same Sheriffe that by good and lawfull men of his bailywick he make known to the said Thomas Mountford that he be & appeare here the fourth day of December last past to shew cause if any he haue why Execucon̄ should not issue forth upon the judgem^t aforesaid Att which said fourth day of Decemb^r the same Sheriffe made return of the writt aforesaid that by good & lawfull men of his bailywick he had made known to the said Thomas to be & appeare as by the same writt he was comanded

And the said Thomas Mountford appeareth by Kenelm Cheseldyn

his Attorney & prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffes also Liber N N

Now here att this day to witt the ffifteenth day of Octob^r in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 came Samuell Graves & Alice his wife Symon Edwards & Susanna his wife Executrices of the last Will & testament of the said Demetrius Cartwright by Charles Boteler their Attorney And the said Thomas Mountford by his said Attorney likewise came And the said Thomas being present in Court made itt appeare to the Court here that he hath satisfied & paid unto the said Demetrius in his life tyme ffourteen hundred pounds of tobacco in part of satisfaction of the judgem^t aforesaid And saith nothing to preclude the said plaintiffes from haveing their Execucõn for the remainder of the judgem^t aforesaid Therefore itt is considered by the Court here that the said plaintiffes have their Eecucõn against the said Defend^t for the sum̃e of ffoure thousand six hundred Eighty three pounds of tobacco the remainder of the judgem^t aforesaid together with three hundred & Eight pounds of tobacco cost of suite And also ffive hundred Seventy foure pounds of tobacco costs of suite sithence laid out and expended

Richard Loyd ag^t Wm Singleton } Wm Singleton late of St Maryes County Marriner was Attached to Answer unto Richard Loyd in a plea of trespas upon the case

And whereupon the said Richard Loyd by Kenelm Cheseldyn his Attorney complaineth, that whereas in the Act of Assembly by an Assembly held att the Citty of St Maryes in the yeare of the Dominion Of Cecilius in the yeare of our Lord One thousand six hundred & fifty & amongst other things itt was Enacted, that every person or persons that shall transport or carry away or cause to be transported or carryed away any freeman out of this Province that is or shall be indebted or engaged here shall be lyable to pay & satisfie all such debts engagem^ts & damãges to the person or persons to whom the same shall be due respectively within this Province, unlesse the same be satisfied in convenient tyme, or that in a short tyme he procure such person or persons to returne againe into this Province whereby he may be lyable to Justice here Notwithstanding which the said Wm Singleton not being ignorant of the p^rmisses & the said Act of Assembly little weighing nor any way fearing the penalty in the same contained, but malitiously meaning & intending contrary to the forme of the said Act the said Richard Loyd to deceive & defraud of a certaine debt of two thousand pounds of tobacco did the sixth day of April in the yeare of our Lord One thousand six hundred Seventy six carry away & transport out of this Province one Clary Holboard relict of Joseph Holboard deceased who in his life tyme stood indebted unto the said Richard Loyd by p. 722

Liber N N bill under hand & Seale the sum̃e of two thousand pounds of tobacco haveing sufficient Assetts in hand to pay the same, but never legally Administred of the Estate of the said Joseph contrary to the forme of the said Act & to the dam̃age of the said Richard Loyd three thousand five hundred pounds of tobacco & thereupon he bringeth his suite.

And the said Wm Singleton by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the ffifteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 came as well the said plaintiffe as the said Defend^{t} by their Attorneys aforesaid And the said W^{m} by his said Attorney saith, that he the said Richard his action aforesaid against him the said W^{m} ought not to have, because he saith that there is no such Record of an Act of Assembly held att the City of St Maryes in the yeare of the Dominion of Cecilius in the yeare of our Lord God One thousand six hundred & fifty in manner & forme as the said plaintiffe in his said Declaracoñ hath sett forth And this he is ready to averr And therefore prayes judgem^{t} of this Court & that the said accoñ may abate. Whereupon the said plaintiffe refuseth to make any further prosecucõn against the said Defend^{t} in the plea aforesaid Therefore itt is considered by the Court here that the said Wm Singleton recover against the said Richard Loyd the Sum̃e of Seven hundred Seventy nine pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended

p. 723 And the said Richard in mercy for his false plaint Ordered by the Court here, that the sum̃e of ffoure thousand six hundred Sixty three pounds of tobacco of the proper Goods and Chattles of Wm Singleton Marryner Attached by the Sheriffe of St Maryes County att the suite of Richard Loyd be restored to the said Wm Singleton

Job Nutt ag^{t} Henry Jowles & ux Ex^{x} Wm Groome	All controversies & debates between the plaintiffe & defendants Att comon Law. And also between the Defendants & the plaintiffe in Chancery are by consent & att the request of the Attorneys of both sides referred to Thomas Trueman Richard Ladd & Charles Boteler Gentleman to heare examine & adjudge of the whole matter in difference as aforesaid

Richard Bankes ag^{t} Henry Jowles & ux Ex^{x} Groome	Henry Jowles of Calvert County gent̃l & Sybell his wife Exec^{x} of the last Will & Testam^{t} of Wm Groome deceased were Attached to Answer unto Richard Bankes of a plea of trespas upon the case

And whereupon the said Richard by Christopher Rousby his Attorney complaineth, that whereas the said W^{m} the sixth day of January One thousand six hundred Seventy one in consideracoñ that he the said Richard att the speciall instance & request of him the said W^{m} would deliver or cause to be delivered unto him the said W^{m} certaine bills Specialties & Accompts whereupon was due from sundry persons unto him the said Richard severall Sumes of tobacco amounting in all to Eighteen thousand Six hundred twenty eight pounds of tobacco a particuler whereof is here in Court produced And would entrust & imploy him the said W^{m} to collect the same tobacco for the use of him the said Richard And would allow him the said W^{m} usuall Sallery to Witt tenn in the hundred for what tobacco he should receive thereof as aforesaid, He the said W^{m} did assume upon himselfe & to the said Richard did faithfully promise that he the said, W^{m} doe his endeavours to receive the said Eighteen thousand Six hundred twenty eight pounds of tobacco for the use of him the said Richard And that he would render unto the said Richard Bankes the said Sume of Eighteen thousand Six hundred twenty eight pounds of tobacco in case he should receive the same, or so much thereof as he should happen to have received And for what he should not have collected that he would returne the said Bills Specialties & Accompts thereof in kinde when he should be thereunto by the said Richard required And the said Richard in fact saith that he trusting to the faithfull promise & assumpcōn aforesaid of him the said W^{m} the said sixth day of January one thousand six hundred Seventy one did by the hands of John Brooke late of Battle Creek deceased cause to be delivered unto him the said W^{m} the aforesaid bills Specialties & accompts amounting to the said Sume of Eighteen thousand Six hundred twenty eight pounds of tobacco And did intrust & imploy him the said W^{m} to Collect & receive the same tobacco for the use of the said Richard And did consent & agree to allow unto him the said W^{m} usuall Sallery to witt tenn pounds in The hundred for what he should receive for him the said Richard as aforesaid And the said Richard ever was & still is ready to allow of the same Yett the said W^{m} in his life tyme his promise & assumpcōn aforesaid in that behalfe little reguarding And the said Sybill Exec^{x} of the last Will & Testam^{t} of the said W^{m} after the death of the said W^{m} and while she was sole or the said Henry & Sybill since their intermarriage the said Eighteen thousand six hundred twenty eight pounds of tobacco or so much thereof as is received (Sallery deducted) & the bills specialties & accompts in kinde of the residue unreceived unto the said Richard Bankes have not rendred nor any of them hath rendred though often thereunto required, but the same to render haue refused And the said Henry & Sybill still doe refuse to the damage of the said Richard Bankes thirty Thousand pounds of tobacco & thereupon he brings his suite

Liber N N

p. 724

Liber N N And the said Henry & Sybill by George Parker their Attorney came & defend the force & injury when &c and pray liberty to imparle hereunto untill next Provinciall Court & itt is granted unto them, the same day is given to the plaintiffe likewise

Now here att this day to witt the Sixteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoꝫ Doni 1678 cometh as well the said plaintiffe as the said Defend^{ts} by their Attorneys aforesaid And the said Henry & Sybill by their said Attorney say, that the said Richard his action aforesaid against them ought not to have, because they say that the said Wm Groome in his life tyme did fully accompt with the said Richard Bankes for all such Sum̃es of tobacco as he had received for the said Richard And what bills or Accompts were left unreceived he returned the same againe in kinde to the said Richard, all which they are ready to averr, & demand judgm^{t} if the said Richard his action aforesaid ought to haue against them And the plaintiffe also Which Declaracōn & plea aforesaid being read, itt appeareth to the Justices here that the said Wm Groome did in his life tyme receive for the use of the said Richard Bankes the sum̃e of Seven thousand six hundred & seven pounds of tobacco Therefore itt is considered that the said Richard Bankes recover against the said Henry Jowles & Sybill his wife Exec^{x} as aforesaid as well the sum̃e of Seven thousand Six hundred & seven pounds of tobacco dam̃ages occasioned by the p^{r}misses As also Eight hundred fifty six pounds of tobacco costs of suite And the Defend^{ts} in mercy &c

James Ives ag^{t} Tho: Spinke; Hugh Sherwood ag^{t} John Hunt — These two actions in Ejectm^{t} are continued untill next Provinciall Court

p. 725 Garrat VSweringen ag^{t} John Quigley — This action is continued untill next Court.

Edward Man ag^{t} Nathaniel Teigle — The Defend^{t} by Christopher Rousby his Attorny appeares & imparles untill next Court.

John Price ag^{t} John Maning — The Defend^{t} by Charles Boteler his Attorney appeares & imparles untill next Court.

Mary Roe Ex^{x} Edwd Roe ag^{t} Nicholas Hacket — Unlesse the Defend^{t} appeare next Court, the Sheriffe of Talbot County amerced

James Tyer ag^{t} Tho: Helgar } The Sheriffe of Charles County haveing returned a Cepi in this cause Henry Bonner Attorney for the plaintiffe moved the Court that the Defend^{t} might give special bayle to answer the suite & abide judgem^{t} wch was ordred by the Court here—And that the said Sheriffe keep him in safe custody untill he hath done the same Liber N N

Richard Hill ag^{t} John Welsh } The Defend^{t} by Christopher Rousby his Attorney appeares & imparles untill next Court

Henry Stocket & James Stavely Ex^{rs} Nathl Stiles ag^{t} John Ireland } The Defend^{t} appeares by Kenelm Cheseldyn his Attorney, & ordered that the plaintiffes Attorney file a declaracōn by the first day of the next Court

Robert Ridgely ag^{t} Samuel Leadbeater } The Defend^{t} by Christopher Rousby his Attorny appeares & imparles untill next Court

John Paler ag^{t} Tho: Robinson } Comand was given to the Sheriffe of St Maryes County that he take Thomas Robinson if he should be found in his bailywick & him safe to keep so that he have his body here the Eighth day of Octob^{r} to satisfie unto John Paler as well the sume of ffoure thousand pounds of tobacco a certaine debt recovered against him before the Justices of this Court the ffifteenth day of June last past whereof he is convictd As also the sume of Six hundred & sixteen pounds of tobacco for costs of suite. Att which said Eighth day of Octob^{r} the same Sheriff made returne of the writt aforesaid, that by vertue of the said writt he tooke the body of the said Thomas Robinson who since hath made his Escape out of Prison so that his body att the day & place required he could not have as comanded Whereupon the said John Paler by Robert Ridgely his Attorny prayeth his Lordpps Writt of fieri facias that the debt & costs aforesaid may be Levyed of the Goods & Chattells of the said Tho: Robinson & itt is granted unto him by the Court here.

Henry Darnall ag^{t} John Anderson } Unlesse the Defend^{t} appeare next Court the Sheriffe of Som^{r}sett County amerced p. 726

Roger Baker ag^{t} Margarett Gittings Ex^{x} Jno Gittings } The Defend^{t} by Robert Carvile her Attorney appeares & imparles untill next Court

Liber N N

Wm Ninfinger ag^t Samuell Maddox	The Defend^t by Kenelm Cheseldyn his Attorney appeares & imparle untill next Court

October 11th 1678.

John Harris ag^t George Gunnell	Robert Carvile the Attorney of John Harris acknowledged satisfaction of a judgem^t obtained by the said John Harris against George Gunnell the ffifteenth day of June last past for twenty two pounds ster^l debt for damages and five hundred Eighty Eight pounds of tobacco costs of suite

Clement Hill ag^t James Ringold	The Defend^t by Christopher Rousby his Attorney appeares & imparles untill next Court

Robert Carvile ag^t Wm Russell Nehemiah Blakiston ag^t Edward Husbands Edward Turner ag^t Syman Edwards & ux Ex^x Demetrius Cartwright Cornelius Howard ag^t John Howard Ex^r Wm Carpenter	The Defend^ts by George Parker their Attorney appear & imparle untill next Court

Edward Dorsey & ux ag^t Tho: Bland & ux	This cause is stopt by Injunction

Garrat VSweringen ag^t John Quigley	This cause is stayed by Injunction, untill the plaintiffe putt in his Answer in Chancery to the Defend^ts bill, or untill further order of this Court

Henry Hooper ag^t Tho: Snell Ad^r Jno Cornish	The Defend^t by John Blomfield his Attorney appeares & imparles untill next Court

Robt Carvile ag^{t} Robt Thompson } Comand was given to the Sheriffe of Charles County that he take Robert Thompson otherwise called Robert Thompson of Charles County in the Province of Maryland gent^{l} if he should be found in his bailywick & him safely keep so that he have his body here the Eighth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1678 to Answer unto Robert Carvile gent^{l} of a plea that he render unto him twelve hundred pounds of tobacco which to him he oweth & unjustly detaineth Att which said Eighth day of October in the yeare aforesaid the same Sheriffe made returne of the writt aforesaid that the said Robert Thompson is not to be found in his bailywick. Whereupon the said Robert prayed an Attachment against the Goods & Chattells of the said Robert Thompson according to Act of Assembly & itt is granted unto him by the Court here

Liber N N p. 727

Mary Ward Ex^{x} Matthew Ward ag^{t} Daniel Clarke Ex^{r} Edward Sauvage } The Defend^{t} by Wm Crosse his Attorney appeares & imparles untill next Court.

John Baker ag^{t} Michael Miller } The Defend^{t} by Kenelm Cheseldyne his Attorney appeares & imparles untill next Court

Richard Ball ag^{t} Bern^{d} Johnson } Memorandum that his Lordshipp the Lord Prop^{ry} of this Province sendeth his writt of habere facias possession to the Sheriffe of Calvert County directed which followeth in these words Charles absolute Lord & Prop^{ry} of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c To the Sheriffe of Calvert County greeting Whereas Richard Ball Lessee of Elizabeth Letchworth Widdow Mother & Guardian of Joseph Letchworth Sonn & heyre of Thomas Letchworth deceased in right of the said Joseph att a Provinciall Court held att our City of St Maryes the Eighteenth day of June instant before our Justices of our said Court hath recovered against Bernard Johnson her possession of & in one Manno^{r} & Messuage & two thousand acres of land lying on the South side of Petuxent River in Calvert County aforesaid called Brooke Court Manno^{r} otherwise the Aquasco with the appurtenñces which he the said Bernard Johnson hath unjustly detained from him Therefore we comand you that to him the said Richard Ball his possession of the said Messuage & p^{r}misses with the appurtenñces without delay you cause to be had & given And in what manner you execute this precept that you make known to our Justices of our said Court to be held att

Liber N N St Maryes the Eight day of October next we also comand you that you take the said Bernard Johnson if he shall be found in yor bailywick & him safe keep so that you haue his body before our Justices of our Provinciall Court to be held att our City of St Maryes the
p. 728 Eighth day of October next to satisfie unto The said Richard Ball the sume of two thousand nine hundred & twenty pounds of tobacco for his costs & charges by him laid out & expended about his suite aforesaid And have you there this writt Wittnes our trusty & welbeloved Thomas Notley Esqr our Liev^{t} Gen^{ll} & chiefe Justice of our said Province the Eighteenth day of June in the third yeare of our Dominion &c Annoq̃ Dni 1678. Att which said Eighth day of October in the yeare aforesaid the same Sheriffe maketh returne of the writt aforesaid in these words Viz^{t} Memorandum this twenty Eighth day of August 1678. Then quiet & lawful possession of all that Messuage or Tenements of Brooke Court Manno^{r} also all the said Manno^{r} of Brooke Court itt being two Thousand acres delivered unto Widdow Elizabeth Letchworth Mother & Guardian of Joseph Letchworth Sonn & heyre of Thomas Letchworth deceased & all the appurtenñces thereunto belonging before good & lawfull men of my bailywick possession as before given As also the sume of two thousand nine hundred & twenty pounds of tobacco satisfied & paid by the wthin named Bernard Johnson according as this writt comands p Henry Darnall Sheriffe.

Ordered by the Court, that a Writt of Enquiry of damages issue to be directed to the Sheriffe of Calvert County to Sumons a jury of the said County to appeare att the next Provinciall Court to Enquire what damages Richard Ball Lessee of Elizabeth Letchworth Widdow Mother & Guardian of Joseph Letchworth Sonn & heyre of Thomas Letchworth deceased hath sustained by occasion of a certaine action of trespas in Ejectm^{t} by him brought against Bernard Johnson

Upon mocõn made unto this Court by Robert Carvile the Attorney of Elizabeth Letchworth Mother & Guardian of Joseph Letchworth Sonn & heyre of Thomas Letchworth deceased, that by vertue of his Lordpps writt of habere facias possessionem the Sheriffe of Calvert County delivered unto her the said Elizabeth possession of two thousand acres of land called Brooke Court Manno^{r} als the Quasco recovered against Bernard Johnson in this Court, since which tyme the said Bernard Johnson hath by force made a reentry thereinto & keepes possession of part or all of the Messuage or dwelling house on the said lands much to the damage of the said Elizabeth Letchworth Whereupon itt is ordered by the Court here this day to witt the fourteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678. that any two of the Comission^{rs} of the said County who live neer unto the said land by force compell & turn the said Bernard Johnson from off the

said land, & repossesse the said Elizabeth of the said land & Messuages according to Law Liber N N

Charles Ascomb ag^{t} Wm Boarman } The Defend^{t} by Henry Bonner his Attorney appeares & imparles untill next Court

Memorandum that his Lordpp the Lord Prop^{ry} of this Province sendeth his writt of habere facias possession to the Sheriffe of Baltemore County directed which followeth in these words Viz^{t} Charles absolute Lord & Prop^{ry} of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c To the Sheriffe of Baltemore County greeting Whereas att a Provinciall Court held att our City of St Maryes the fourteenth day of June last past before our Justices of our said Court David Jones Lessee of Thomas Tailor Esqr hath recovered against Nathaniel Hinchman his possession of & in a certaine Plantacoñ & three hundred acres of land called Timber Neck with the appurtenñces lying on the North side of Potapsco River in Baltemore County which he the said Nathaniel Hinchman hath unjustly detained from him the said David Jones Wee therefore comand you that to him the said David Jones possession of the said Messuage & p^{r}misses with the appurtenñces without delay you cause to be had & given And in what manner you Execute this precept that you make known to our Justices of our said Court to be held att St Maryes the Eighth day of October next & haue you there this writt Wittnes our trusty & welbeloved Tho: Notley Esqr our Lievten^{t} Gen^{ll} & chiefe Justice of our said Province the Eighteenth day of June in the third yeare of our Dominion &c Annoq̃ Doni 1678. Att which said Eighth day of October in the yeare aforesaid the same Sheriffe maketh returne of the writt aforesaid endorsed that by vertue thereof he had delivered unto the said Thomas Tailor possession of the said Messuage land & p^{r}misses as by the same writt he was comanded. p. 729

Tho: Long Sher

Tho: Bland ag^{t} Edward Dorsey } This action is stayed by injunction

Humphry Davenport ag^{t} Tho: Hathud & Ann ux } Unlesse the Defend^{t} Ann appeare next Court, the Sheriffe of Talbot County amerced

Tho: Parker ag^{t} Wm Lacy } Wm Lacy otherwise called Wm Lacy of Kent County planter was Sumoned to Answer unto Thomas Parker of a plea that he render unto him tenn thousand pounds of tobacco which to him he oweth & unjustly detaineth.

Liber N N And the said Wm Lacy by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c but the said Thomas Parker came not but made default Therefore itt is considered by the Court here this day to witt the Eleventh day of Octob^r in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 that a Nonsuite be awarded against the said Thomas Parker And that the said Wm Lacy recover against the said Thomas Parker the sum̃e of Eight hundred thirty six pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said Thomas in mercy for his false claime

p. 730 Robert Carvile ag^t ffrancis Gunby } Com̃and was given to the Sheriffe of St Maryes County, that he Attach any the Goods or Chattells of ffrancis Gunby if they should be found in his bailywick to the value of five thousand six hundred & forty pounds of tobacco And when he had the same so Attached or any part thereof of the same in his custody to keep untill the said ffrancis Gunby should by himselfe or his Attorney appeare here the Eighth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678. to Answer unto Rober Carvile gent̃ in a plea that he render unto him the sum̃e of ffoure thousand two hundred & thirty pounds of tobacco which to him he oweth & unjustly detaineth Att which said Eighth day of October in the yeare aforesaid the same Sheriffe maketh return of the writt aforesaid that by vertue thereof he hath Attached one Mare & Colt of the said ffrancis Gunby's appraised att One thousand six hundred pounds of tobacco Whereupon the said Robert Carvile prayed that the said Mare & Colt might be condemned for part of satisfaction of the debt aforesaid & itt is granted, the said Robert Carvile giveing security according to Act of Assembly in that case made & provided Att which said Eighth day of October in the yeare aforesaid came the said Robert Carvile with Garret VanSweringen his security who undertooke for the said Robert to indemnifie the Court upon the Attachm^t aforesaid And to make restitucõn of the said Mare & Colt or of the Value thereof to the said ffrancis Gunby in case the said ffrancis or his Attorney shall within one yeare & a day make his just defence to & proceed on in the said action in com̃on forme, & make itt appeare that the said Robert Carvile is satisfied his just demand or any part thereof according to the true intent & meaning of a certaine Act of Assembly in that case made & provided.

Thomas Harris ag^t Tho: Pattison } Thomas Pattison late of Dorchister County planter was Sum̃oned to Answer unto Thomas Harris of Ann Arundell County of a plea wherefore he tooke one man Servant by name Rowland Morgan of the Goods & Chattels of the said Thomas Harris & him unjustly detained against suerties & pledges.

And whereupon the said Thomas Harris by John Blomfield his Attorney complaineth, that the said Thomas Pattison the foure & twentieth day of July one thousand six hundred seventy Eight in the County of Dorchister aforesaid tooke one man Servant by name Rowland Morgan of the proper Goods & Chattells of the said Thomas Harris & him unjustly detained against suerties & pledges untill the Sheriffe of the said County of Dorchister to the said Thomas Harris att his complaint caused to be replevied Whereupon the said Thomas Harris saith he is damnified & hath losse to the Value of foure thousand pounds of tobacco & thereupon he brings his suite And the said Thomas Pattison by Charles Boteler his Attorney cometh & defendeth the force & injury when &c and saith nothing in barr of the action aforesaid of him the said Thomas Harris Therefore itt is considered by the Court here this day to witt the Eleventh day of Octob^r in the third yeare of the Dominion of Charles Lord Baltemore &c Annoqꝫ Doni 1678 That the said Thomas Harris recover against the said Thomas Pattison his damages occasioned by detaining the man Servant aforesaid But because itt is not known what damages the said Thomas Harris hath sustained by that occasion Therefore itt is ordered that a writt of Enquiry of damages issue returnable att the next Provinciall Court

Liber N N

p. 731

Philip Pocock ag^t Thomas Smith — The Defend^t by Christopher Rousby his Attorney appeares & imparles untill next Court

Tho: Matthews ag^t Geo: Southern — Comand was given to the Sheriffe of St Maryes County, that he Attach any the Goods or Chattells of George Southern to the Value of five thousand three hundred thirty three pounds of tobacco And And when he had the same so Attached or any part thereof the same in his custody to keep untill the said George Southern should by himselfe or his Attorney appeare here the Eight day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Añoqꝫ Doni 1678. to Answer unto Thomas Matthews in a plea of trespas upon the case Att which said Eighth day of Octob^r in the yeare aforesaid the same Sheriffe maketh returne of the writt aforesaid that he hath Attached in the hands of John Baker twelve hundred pounds of tobacco

John Wynne Adm^r Jno Ripton=Lamplough ag^t Robert Vaulx — The Sheriffe of St Maryes County haveing returned a cepi in this cause, & the Defend^t not appearing Ordered that the baile bond be assigned to the plaintiffe

Michael Tawney ag^t Edward Gibbs — Unlesse the Defend^t appeare next Court, the Sheriffe of Som^rsett County amerced

Liber N N Samuel Dryer ag^{t} Wm Yieldhall } These two actions being upon an Appeale from Ann Arundell County Court, the Defend^{ts} by George Parker their Attorney appeare & imparle untill next Court

Thomas Bland ag^{t} Robert Proctor } The Defend^{t} by Kenelm Cheseldyn his Attorney appeares & imparles untill next Court

Philip Denny ag^{t} Michael Miller } The Defend^{t} by Kenelm Cheseldyn his Attorney appeares & imparles untill next Court

p. 732 Josiah Bacon ag^{t} John Edmondson } Whereas by Vertue of a Comission directed to us whose names are hereunto subscribed from the right Honble the Lord Prop^{ry} of this Province bearing date the Eighteenth day of June last past we were impowered to Audite state & examine the severall accompts betweene Josiah Bacon & John Edmondson. In pursuance whereof we the said Auditors formerly under our hands & Seales ordered the parties above specified as likewise their Attorneys to appeare att the house of Mr Richard Keen in Petuxent River upon the twenty seventh day of August last past Att which tyme & place aforesaid appeared Mr Christopher Rousby Attorney for the said Josiah Bacon & Mr Robert Carvile Attorney for the said John Edmondson And upon the request of the said Robert Carvile & affirmacōn to us that Mr Ridgely who is principally concerned for the said Edmondson & who hath all his papers of concernes is not able to appeare by reason of sicknes And that he cannot proceed without Very much prejudice to his Clyent, we though fitt & convenient to Adjourne the auditeing & stateing of the said accompts untill this p^{r}sent day Att which tyme we formerly ordered the said parties to appeare as by a writeing hereunto annexed more att large appeareth. And this day came before us Mr Christopher Rousby Attorney for the plaintiffe & likewise Mr Robert Ridgely Attorney for the Defend^{t} And whereas the plaintiffe chargeth the said Defend^{t} with severall Goods & M^{r}chandizes amounting to thirty Eight pounds Eight shillings sterling which the said Edmondson acknowledgeth to haue received and to haue disposed of them for the use of the said Josiah Bacon And the said John Edmondson endeavoureth to discharge himselfe of the same as by accompt hereunto annexed appeareth, to the particulers of which accompt we report as followeth Viz^{t} Imp^{rs} as to the foure hogsheads of tobacco Shipt in the Shipp Hopewell of London Michael Yoakley Master as p bill Ladeing appeareth weighing neat Seventeen hundred & tenn pounds of tobacco we think reasonable & fitt to allow As likewise the Eight hogsheads of tobacco Shipt in the Shipp Adventure of London weighing neat five thousand three hundred & twenty pounds of tobacco As also for storeidge two hun-

dred & fifty pounds of tobacco we thinke reasonable & fitt to allow Liber N N
But as for the hogshead of tobacco left in the Countrey att Thomas Warrens house weighing neat three hundred Eighty six pounds of tobacco we thinke not reasonable nor fitt to be allowed in discharge of part of the said debt, for that itt appeareth not to us that the said hogshead was the proper produce of any part of the said Goods Neither doe we thinke fitt to allow of thirty five pounds of tobacco & twenty nine pounds of tobacco, for that itt appeareth not to us how the same became due to the said Edmondson And whereas the said Edmondson chargeth fifteen pounds of tobacco p Centum for Sallery, we thinke reasonable to allow tenn pounds of tobacco p Cent which Comes to Seven hundred & Seven pounds of tobacco And whereas p. 733
by Edmondsons own acknowledgem^t^ he allowed but five farthings a pound for tobacco which comes to in money but Thirty six pounds Sixteen shillings & eight pence so that there remaines still in his hands the Value of One pound Eleven shillings and foure pence which in tobacco att five farthings p pound comes to three hundred & one pounds of tobacco So that upon ballance of accompts between the said Josiah Bacon & the said John Edmondson we Report to yor Hono^rs^ that we finde the said John Edmondson indebted unto the said Josiah Bacon the full & just Sum̃ of One thousand & ninety six pounds of tobacco In testimony whereof we have hereunto subscribed our hands and affixed our Seales this fifth day of October in the third yeare of the Dominion of the right Honble Charles &c Anōq̃ Doni 1678

John Darnall (sealed)
Richard Keene (sealed)

Now here att this day to witt the Eleventh day of October in the third yeare of the Dominion of the right Honble Charles Lord Baltemore &c Annoq̃ Doni 1678. cometh as well the said plaintiffe as the said Defend^t^ by their Attorneys aforesaid And the aforegoing Report of the Auditors aforesaid being read & heard itt is considered by the Court here that the said Josiah Bacon recover against the said John Edmondson as well the sum̃e of One thousand ninety & six pounds due upon the ballance of the accompts aforesaid As also Eleven hundred & twenty pounds of tobacco costs of suite And the said Jno Edmondson in mercy &c

Thomas Legg ag^t^ Jno Edmondson } Whereas by Vertue of a Com̃ission directed to us whole names are hereunto subscribed from the right Honble the Lord Prop^ry^ of this Province bearing date the Eighteenth day of June last past, we were impowered to audite state & examine the Accompts between Thomas Legg plaintiffe and John Edmondson Defend^t^ & to meet att such tyme & place as to us should seem meet & convenient In pur-

Liber N N suance whereof we the said Auditors formerly under our hands & Seales did order the severall parties above menc̄oned as likewise their Attorneys to meet & appeare before us att the house of Mr Richard Keene in Petuxent River upon the twenty seventh day of August last past Att which tyme & place aforesaid came before us Mr Christopher Rousby Attorney for the plaintiffe Mr Robert Carville Attorney for the Defend^t And upon the request of the said Robert Carvile & affirmac̄on to us that Mr Robert Ridgely is principally concerned for John Edmondson & who hath all his papers of concernes, is altogether unable all this tyme to appeare before us by reason of sicknes And that the said Robert Carvile cannot proceed without much prejudice to his Clyent, wee thought fitt & convenient to Adjourne the Auditeing & stateing of the said accompts untill this p^rsent day being the fifth day of October Att which tyme we formerly ordered the said parties to appeare as by a writeing under our
p. 734 Hands & Seales hereunto annexed more att large appeth And this day came before us Mr Christopher Rousby Attorney for the plaintiffe And Mr Robert Ridgely Attorney for the Defend^t And whereas the said Thomas Legg chargeth the said John Edmondson with severall Goods & M^rchandizes amounting to the just Sum̃e of One hundred & forty foure pounds sterling which the said Edmondson acknowledgeth to have received & to have disposed of them to severall persons for the use of the said Thomas Legg And the said John Edmondson in discharge of the said debt exhibitteth an accompt to us which is hereunto annexed, to the particulers of which accompt we report as followeth Viz^t Imp^rs as to three hogsheads of tobacco Shipped in the Shipp Joseph & Benjamin of London as p bill of ladeing weighing neat thirteen hundred & ffifty pounds of tobacco we think fitt to allow As to One thousand pounds of tobacco paid for storeidge itt appeares not to us paid for storeidge of the said Leggs Goods, therefore we thinke fitt to allow only five hundred pounds of tobacco for storeidge of the said Goods As to twenty five hogsheads of tobacco Shipped in the ffrances of London as p bill of ladeing weighing neat Nine thousand two hundred thirty three pounds of tobacco we thinke fitt to allow But as to ffourteen hogsheads of tobacco left in the Countrey weighing neat ffive thousand one hundred forty eight pounds of tobacco we thinke not fitt to be allowed to the said Edmondson or reasonable that they should discharge any part of this debt, by reason that itt appeares not to us that the said fourteen hogsheads of tobacco aforesaid was the proper tobacco of the produce of the said Goods or any part of them, And as to fforty foure pounds of tobacco in the accompt menc̄oned itt appeareth not to us how the same came due And as for ffifteen pounds of tobacco p Cent for Sallery we think fitt to allow tenn pounds of tobacco p Cent which come to Nineteen hundred Seaventy & five pounds of tobacco And whereas John Edmondson alleadgeth that he allowed

seven farthings p pound for tobacco, itt not appearing so to us we thinke itt reasonable & fitt to allow for the said Goods Six farthings p pound for tobacco, so that John Edmondson for that particuler is indebted three thousand two hundred Eighty six pounds of tobacco So that upon ballance of Accompts between the said Thomas Legg & the said John Edmondson we humbly report to your Hono^rs that we finde the said John Edmondson indebted unto the said Thomas Legg the just sum̃e of Nine thousand nine hundred Eighty & two pounds of tobacco We likewise thinke fitt that John Edmondson pay twelve hundred Seventy eight pounds of tobacco being part of the charges of two severall meetings upon his accompt In testimony whereof we haue hereunto sett our hands & affixed our Seales the fifth day of Octob^r in the third yeare of the Dominion of the Right Honble Charles &c: Anōq̃ Doni 1678. Liber N N p. 735

John Darnall (sealed)
Richard Keene (sealed)

Now here att this day to witt the Eleventh day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Anōq̃ Doni 1678. cometh as well the said plaintiffe as the said Defend^t by their Attorneys aforesaid And the aforegoing report of the Auditors aforesaid being read & heard the Defend^t made itt appeare to the Court here that he hath paid unto the plaintiffe ffive thousand six hundred forty eight pounds of tobacco more then is mencōned in the Report aforesaid in part of satisfaction of the debt which being allowed of by the Court Itt is considered that the said Thomas Legg recover against the said John Edmondson the sum̃e of ffoure thousand three hundred thirty foure pounds of tobacco due upon the ballance of the Accompts aforesaid As also Eleven hundred & twenty pounds of tobacco costs of suite And the Defend^t in mercy &c

Robert Edmonds ag^t John Atkey } Charles absolute Lord & Prop^ry of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c To Samuel Bourne & Richard Ladd gentlemen greeting Whereas John Atkey late of Calvert County was Sumoned to Answer unto Robert Edmonds of a plea that he render unto him his reasonable accompt of the tyme that he was Receiver of the Goods M^rchandizes and tobacco of the said Robert Now so farr itt is proceeded in our Provinciall Court that the said John render unto the said Robert Edmonds his reasonable accompt of the tyme he was Receiver of the Goods M^rchandizes & tobacco of him the said Robert Wee doe hereby Authorize & appoint you the said Samuel & Richard Auditors to Audite state & examine the Accompts of the said John Atkey which to render to the said Robert he ought And that you meet att such tyme & place as to you shall seem meet And that the said parties doe then & there attend

Liber N N you untill the accompts be fully stated by you And you are hereby further impowered & appointed to Administer Oaths to any wittnesses that shall be produced before you as well on the part of the plaintiffe as on the part of the Defend^t And the said Accompts when audited & stated between the said parties, that you the said Auditors make report thereof unto our Justices att our next Provinciall Court to be held att att St Maryes the Eighth day of October next under your hands & Seales And for yor proceedings herein this shall be yor Warrant Wittnes our trusty & welbeloved Thomas Notley Esq^s our Lievtenant Gen^ll & chiefe Justice of our said Province the Eighteenth day of June in the third yeare of our Dominion &c Annoq̃ Doni 1678 By vertue of which writt wee the said Samuel Bourne & Richard Ladd haveing taken upon us the charge of the said audite, did by vertue of a warrant by us directed comand the said parties their Substitutes & Attorneys to meet att the house of John Maning upon the Clifts upon the second day of September which accordingly they did, but the said John Atkey pretending to want severall Wittnesses on his behalfe Prayed further tyme to produce them, Whereupon wee the said Samuell Bourne & Richard Ladd adjourned till the Twenty seventh day of September following att the house of John Hance upon the Clifts, where as well we the said Samuel Bourne & Richard Ladd as the said John Atkey and his Attorney As also the said Robert Edmonds & his Attorney did there meet accordingly And haveing produced for evidences John Giatt, Jane Todd, Henry Todd, Edward Husbands, W^m ffreeland & Wm Tailler whose deposicoñs are hereunto annexed Upon the consideracōn whereof & upon View of the accompts & hearing the pleadings of both parties have stated the accompt currant as followeth Viz^t

p. 736

John Atkey D^r to Robt Edmonds ℔ tob̄

To 12 caskes of wine q^t 216 gall^t att 15^lb p gallon	3240
To 90 gall^t of Rum att 30 p gall^t	2700
To 30^lb of Ginger att	90
To 2 caskes of Molassus	1000
To 1 barrell of Suger q^t neat 310^lb att 4^lb p pound	1240
	8270

p Contra C^r

By 116 gall^t of wine remaining in his hands att 15 p gall^t	1740
By 18 gall^t of wine Leakidge	270
By 22 gall^t of Rum left in his hands att 30 p gall^t	660
By 6 gall^t of Rum leakidge	180

By 20^{lb} of Ginger in his hands	60	Liber N N
By 59^{lb} of Suger in his hands att 4^{lb} p^{lb}	236	
By a bill of Philip Burges for	799	
By Goods delīd unto Robt Evans runaway as apped amounting to	234	
By sallery for selling the Goods to the Value of 5164^{lb} tob: att 5 pcent	250	
By sallery for receiving of 4131^{lb} tob: amounting to	400	
By carrying the Goods ashoare	400	
	5229	

Whereupon we doe report that we finde John Atkey indebted in arrearages due unto Robert Edmonds the sum̃e of three thousand forty & one pounds of tobacco As also the said Atkey hath remaining in his hands unsould of the Goods of the said Robert Edmonds to the Sum̃e of two Thousand six hundred ninety & six pounds of tobacco part of the said Goods to be accompted for And also that att the said meeting att the said John Manings house for necessary expences we did expend the sum̃e of ffoure hundred pounds of tobacco And for the trouble of John Hances house the sum̃e of foure hundred pounds of tobacco In Wittnes whereof we have hereunto putt our hands & seales this twenty Eight of Septemb^{r} 1678

Samuel Bourne (sealed)
Richard Ladd (sealed)

Now here att this day to witt the twelfth day of Octob^{r} in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678. cometh as well the said plaintiffe as the said Defend^{t} by their Attorneys aforesaid And the aforegoing report of the Auditors aforesaid being read & heard Itt is considered by the Court here that the said Robert Edmonds recover against the said John Atkey the sum̃e of three thousand forty & one pounds of tobacco And also Goods remaining in The hands of the said John unsould of the Goods of the said Robert to the Sum̃e of two thousand six hundred ninety & six pounds of tobacco or the Value thereof And also Sixteen hundred sixty foure pounds of tobacco costs of suite And the Defend^{t} in mercy. p. 737

Charles Gosfright ag^{t} Hester Gough Ad^{x} Wm Gough — This action abates, the plaintiffe being dead

Alexander Mackotery ag^{t} Wm Price — The Sheriffe of Dorchister County haveing returned a cepi in this cause And neither plaintiffe nor Defend^{t} appearing this cause dismissed

Liber N N

Wm Crosse ag^t Henry Parker — The Sheriffe of Talbot County haveing returned a cepi in this cause, & neither plaintiffe nor Defend^t appearing, this cause dismissed

John Burdett agt Tho: Peighen — Comand was given to the Sheriffe of Kent County that he Attach any the Goods or Chattells of Thomas Peighen if they should be found in his bailywick to the Value of Twenty six pounds thirteen shillings & foure pence sterl, And when he had the same so Attached or any part thereof of the same in his custody to keep untill the said Thomas Peighen should by himsefe or his Attorney appeare here the Eighth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1678. to Answer unto John Burdett in a plea of trespas upon the case Att which said Eighth day of October in the yeare aforesaid the same Sheriffe maketh returne of the writt aforesaid that he hath Attached in the hands of Henry Hosier the Sume of one thousand & Sixty pounds of tobacco due to Thomas Peighten from the said Smith by judgem^t Whereupon the said John Burdett by Robert Ridgely his Attorney prayeth that the said Sume of One thousand & Sixty pounds of tobacco might be condemned unto him & itt is granted by the Court here, the said John Burdett giveing security according to Act of Assembly in that case made & provided

John Harvey ag^t Ralph Shaw — The Defend^t by Christopher Rousby his Attorney appear & imparles untill next Court

Tho: ffrancis ag^t Tho: Sparow & al — Upon mocon made unto this Court by George Parker Attorney for the Defend^ts that no costs of suite might be allowed to the Comp^lt upon a Decree in Chancery obtained by the Comp^lt against the Defend^ts in June Court last, because the Comp^lt through his own neglect had not a Deed of Conveyance of the land then in question from the Defend^t Sparrow in his life tyme Ordered that no costs be allowed thereupon

p. 738

Mary Clements Ex^x, John Clements ag^t George Lewen & Wm Orchard
George Lewen ag^t Mary Clements Ex^x, John Clements
— These two actions abate, Mary Clements being intermarryed

Octob^{r} 11th 1678. Liber N N

Then Benjamin Rozer Esqr as Attorney of Dominick Bodkin & Redmond ffitzgerarld acknowledged satisfaction of two judgem^{ts} obtained ag^{t} John ffaning the fourth day of Octob^{r} Anno Doni 1677 One thereof obtained by the said Dominick ag^{t} the said John ffaning for three thousand nine hundred fifty foure pounds of tobacco debt with Seven hundred twenty three pounds of tobacco costs of suite The other judgem^{t} obtained by the said Dominick Bodkin & Redmond ffitzgerald ag^{t} the said John ffaning for ffiue thousand six hundred & Eighteen pounds of tobacco debt together with Seven hundred twenty three pounds of tobacco costs of suite

Octob^{r} 11th 1678.

Then Capt Gerard Slye acknowledged satisfaction of a judgem^{t} obtained by him ag^{t} Benj^{a} Rozer Esqr the six & twentieth day of April Anno Doni 1677 for One hundred seventy seven pounds ster^{l} with One thousand & twelve pounds of tobacco costs of suite

Robert Carvile ag^{t} Tho: ffisher } Whereas heretofore to witt the twelfth day of June in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 the Sheriffe of Dorchister County returned an Attachm^{t} to him directed against the Goods & Chattells of Thomas ffisher att the suite of Robert Carvile, that he had Attached in the hands of John Brooke ffiue thousand six hundred Eighty five pounds of tobacco which was then condemned unto the said Robert he giveing security according to Act of Assembly in that case made & provided

Now here att this day to witt the Eighth day of Octob^{r} in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678. came the said Robert Carvile with Garrat VanSweringen his suerty who undertooke for the said Robert in the sum̃e of ffive thousand six hundred Eighty five pounds of tobacco to make restitucõn of the said Sum̃ so Attached as aforesaid to the said Thomas ffisher, in case the said Thomas or his Attorney shall within one yeare & a day make his just defence to and proceed on in the said action in com̃on forme, & make itt appeare that the said Robert Carvile is satisfied his just demand or any part thereof according to the true intent & meaning of a certaine Act of Assembly in that case made & provided

Allowed to Joseph Hackney for comeing goeing & attending to give in his Evidence for Thomas Jones & Jane his wife ag^{t} Thomas Spinke One hundred & fifty pounds of tobacco p. 739

John Paty ag^{t} Jno Addison & ux Ex^{x} Dent Ex^{rs} Hull } John Addison & Rebecca his wife Exec^{x} of the last Will & testament of Thomas Dent deceased Ex^{r} of the last Will & testam^{t} of Henry Hull deceased were Sum̃oned to Answer unto John Paty in a plea that they render unto him the

Liber N N sum̃e of two Thousand six hundred & ninety pounds of tobacco which from him they unjustly detaine

And whereupon the said John Paty by Kenelm Cheseldyn his Attorney saith, that whereas the said Henry Hull in his life tyme the seventeenth day of May in the yeare of our Lord One thousand six hundred seventy five did by his certaine writeing obligatory Sealed with the Seale of the said Henry here in Court produced whose date is the same day & yeare above written, did binde himselfe to pay or cause to be paid unto John Paty of Dublin Carpenter of the good Shipp caled Dublin M^r^chant he his heyres Exec^rs^ or assignes the just & full Sum̃e of two thousand Six hundred & ninety pounds of good sound M^r^chantable tobacco in cask att some convenient place of St Georges Hundred att or upon the first of November after the date of these p^r^sents, for which payment well & truely to be made & done he did binde himself his Exec^rs^ Adm^rs^ or assignes firmly by those p^r^sents Notwithstanding which the said Henry Hull in his life tyme though often thereunto required the said sum̃e of two thousand six hundred & ninety pounds of tobacco according to the tenor of his said writeing obligatory hath not paid to him the said John Paty nor the said Thomas Dent Exec^r^ of the last Will & testament of the said Henry in his life tyme, nor the said John & Rebeccah since his death Exec^x^ of the last Will & Testam^t^ of the said Thomas Dent hath not paid but the same to pay hitherto hath & still doth deny to pay to the dam̃age of the said John Paty the sum̃e of foure thousand pounds of tobacco & thereupon he bringeth his suite

And the said John & Rebeccah by Robert Ridgely their Attorney come & defend the force & injury when &c and say, that they have nothing to say in barr or avoidance of the action aforesaid of him the said John Paty, whereby the said John Paty remaineth ag^t^ the said John & Rebecca thereof wholy undefended Therefore itt is considered by the Court here that the said John Paty recover against the Estate of the said Henry Hull as well the Sum̃e of two thousand six hundred & ninety pounds of tobacco debt As also
pounds of tobacco costs of suite And the Defend^ts^ in mercy And hereupon this day to witt the Sixteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678. the said John Paty by his Attorney aforesaid chooseth to be deliuered unto him all the Goods and Chattells of the said Henry Hull besides his Oxen & beasts of his plow And likewise the moiety of all his lands & tenem^ts^ To hold to him the said John Paty the Goods & Chattells aforesaid as his own Goods & Chattells And also to hold the moiety aforesaid as his ffreehold to him & his assignes according to the forme of the Statute in that case made and provided untill the debt & costs aforesaid be therefore Levyed, & to him itt is granted

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Whereas complaint was made to this Court this day to witt the ffifteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 by George Parker gentl Attorney for John Machen plaintiffe against John Sannders defendt that the said John Sannders by order of this Court was remanded to the Sheriffe of Charles County there to lye in prison untill he putt in special bayle to the plaintiffes accōn in a plea of debt of ffoure hundred hundred pounds sterl And for as much as since the said order the said Saunders hath made an Escape & is fled away out of this Province into Virginia or some other remote parts so that he cannot be found by the said Sheriffe to be taken into custody And itt not being known whether the said Sheriffe be chargeable with the Escape aforesaid And the said Sannders haveing left in the said County a psonall Estate which may be imbezilled to the defeating the said Machen of his debt Itt was therefore prayed that the Sheriffe of Charles County doe take & seize into his hands such & so much of the Estate of the said Saunders as are within his bailywick, & the same to keep in his hands till this Court take other order therein, which this Court doth order accordingly

Liber N N p. 740

Whereas att a Provinciall Court held att St Maryes this instant April judgemt did passe agt Thomas Binkes of Calvert County for the Sum̃e of foure thousand six hundred & odd pounds of tobacco att the suite of the right Honble the Lord Proprty And whereas the said Thomas Binkes hath humbly besought me that Execucōn might not yet issue out for the same for divers reasons & consideracoñs which he hath alleadged These are therefore to will & require you Wm Calvert Esqr Secretary of this Province that you doe not suffer Execucōn to passe out of your Office for the same untill further order from me Given under my hand this Nineteenth day of April in the third yeare of the Dominion of the right Honble Charles &c over this Province Annoq̃ Doni 1678

Thoma Notley

To the Honble Wm Calvert Esqr Secry of this Province of Maryland

These

To the Honble Thomas Notley Esqr chiefe Governor of Maryland

The humble peticōn of Thomas Binkes

Sheweth

That the Attorney Genll on behalfe of the Lord Proprty exhibitted to the Provinciall Court in ffebruary last a certaine Informacōn against your Peticōnr for concealing & detaining (as was alleadged) several Goods formerly belonging to Wm Davis deceased, whereupon judgemt passt against your peticoñr & ordered a writt of Enquiry of dam̃ages; the Jurors found for the Proprty foure thousand six hundred & Eighty pounds of tobacco dam̃ages And two thousand

Liber N N seven hundred seventy one pounds of tobacco for costs of suite. Jasper Howley informed your Hono^r that he was Copartner with the said Davis And that part of the Goods pretended to be left in yor peticoñ^rs possession did properly belong to him the said Howley,
p. 741 which Informacōn was Altogether false, neither was the said Howley any way concerned as Copartner with the said Davis, neither was any of the said Davis's Goods left in yor peticoñs possession, but was himselfe much a sufferer by Capt Allens Troop carrying away with them severall of his own proper Goods Nevertheles judgem^t hath passed ag^t him which with damages & costs amounts to Seven thousand four hundred fifty one pounds of tobacco, which should yor peticōn pay would with his other losses ruinate him & his ffamily The p^rmisses considered And for that yor peticōn^r had never any of the Goods of the said Davis in his possession (as was pretended) he doth humbly request yor Hono^rs favourable consideracōn of the p^rmisses & to doe therein what to yor Hono^r shall seem most agreeable with Equity & good conscience

On the backside of the aforegoing peticoñ was written Viz^t I am willing to remitt unto the peticōn^r Thomas Binkes the moiety of the Judgem^t obtained against him upon the within mencōned Informacōn And doe hereby order that Jasper Howley by himselfe or his Attorney by mocoñ to his Lordpps Justices att the next Provinciall Court request, that Execucōn may issue for the remainder of the said judgem^t with costs of suite Given under my hand the twenty ninth day of June in the third yeare of his Lordpps Dominion &c Annoq; Doni 1678.

Thoma Notley

Now here att this day to witt the Sixteenth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1678 came the said Jasper Howley by Christopher Rousby his Attorney And the aforegoing peticōn & Endorsem^t being read Iit is Ordered by the Court here that Execucoñ issue for two Thousand seven hundred Seventy & one pounds of tobacco being the remaind^s of the judgem^t aforesaid Together with two thousand three hundred & forty pounds of tobacco costs of suite And that the said Jasper pay unto Benj^a Rozer Esqr so much tobacco as the said Benjamin paid for ffees upon tryall of the cause

Richard Covell ag^t Edward Gunnell } Whereas by vertue of a Comission directed to us whose names are hereunto subscribed from the right Honble the Lord Prop^ry of this Province bearing date the Eighteenth day of June last past We were impowered to Audite state & examine the accompts between Richard Covell & Edward Gunnell, & to meet att such tyme & place as to us should seem meet & convenient in pursuance whereof we the said Auditors formerly under our hands & Seales ordered the

severall parties above mencōned as likewise their Attorneys to meet Liber N N
& appeare before as att the house of Mr Richard Keene in Petuxent River upon the twenty seventh day of August last past att which tyme & place aforesaid came before as Mr Christopher Rousby Attorney for the said Richard Covell And whereas itt then appeared to us by a letter under the hand of Mr Kenelm Cheseldyne that by sicknes he was disabled from comeing before us att the tyme & place by us appointed Therefore we thought meet & convenient to Adjourne & putt off the Auditeing stateing & examining of the said Accompts untill this p^rsent fifth day of October Upon which day we p. 742
ordered the said parties to appeare before us as by a certaine writeing under our hands & Seales more att large appeareth And this day came before us Mr Christopher Rousby Attorney for the said Richard Covell & Mr Kenelm Cheseldyn Attorney for the said Edward Gunnell And whereas the said Richard Covell chargeth the said Edward Gunnell with an accompt of severall bills had & received by him the said Richard amounting to the sum̃e of thirteen thousand three hundred thirty seven pounds of tobacco Which said bills were by Mr Kenelm Cheseldyn Attorney for the said Edward Gunnell acknowledged to have bin received by the said Edward Gunnell & nothing appearing to us why the said Sum̃e of Thirteen thousand three hundred thirty seven pounds of tobacco should not be paid unto the said Richard Covell or the severall bills returned in kinde Wee therefore humbly report to yor Hono^rs that the said Gunnell is indebted unto the said Richard Covell the just Sum̃e of Twelve thousand five hundred thirty seven pounds of tobacco Eight hundred pounds of tobacco being thought convenient to be deducted, so much being paid Mr Robert Carvile for sueing Henry Mitchell by the said Edward Gunnell But whereas Mr Kenelm Cheseldyn alleadgeth & doth averr before us that there is several bills now in the hands of the said Gunnell ready to be delivered, but that he verily thinks the said Gunnell is sick & can not come If therefore any of the said bills in the list mencōned be returned & delivered unto the said Richard or to his certaine Attorney by the first day of the next Provinciall Court, then we thinke itt reasonable & fitt to allow of them & deduct them or what is really due of them out of the aforesaid Sum̃e of twelve thousand five hundred thirty seven pounds of tobacco Likewise Mr Kenelm Cheseldyn doth alleadge that there was six hogsheads of tobacco received of Henry Mitchell upon accompt of Richard Covell & marked with his proper marke, which said six hogsheads of tobacco were stolne out of the tobacco house of the said Henry Mitchell If therefore yor Hono^rs thinke fitt & reasonable to allow of the said six hogsheads of tobacco & to deduct them out of the said Sum̃e of twelve thousand five hundred thirty seven pounds of tobacco we likewise thinke soe And we thinke fitt that the said Edward Gunnell pay six hundred thirty six pounds

Liber N N of tobacco being part charges of two severall meetings upon the Accompt of the said Gunnell In testimony whereof we have hereunto subscribed our hands & affixed our seales this fifth day of October in the third yeare of the Dominion of the right Honble Charles &c Annoq̃ Doni 1678.

John Darnall (sealed)
Richd Keene (sealed)

Now here att this day to witt the Eleventh day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃
p. 743 Doni 1678. came as well the said Richard Covell by Christopher His Attorney as the said Edward Gunnell by Kenelm Cheseldyn his Attorney likewise came And the aforegoing Report of the Auditors aforesaid being read & heard, the Defend^t delivered upp unto the plaintiffes Attorney these bills following Viz^t Wm Dorringtons bill for ffoure hundred thirty six pounds of tobacco paid Wm Stevens foure hundred pounds of tobacco Humphrey Waters bill for foure hundred & forty pounds of tobacco, Grace Parkers bill for twelve hundred & thirty pounds of tobacco, Wm Williamsons bill for six hundred Sixty five pd̃s of tobacco, Paid to Mr Robert Carvile Eight hundred pounds of tob: two hogsheads of tobacco received of Henry Mitchell & marked with the proper marke of the said Richard Covell which was stolne away weighing neat Nine hundred two pounds of tobacco All which severall sum̃es account to in the whole the sum̃e of ffoure thousand nine hundred Sixty three pounds of tobacco Of which Sum̃e the Defend^t humbly craves an allowance to be deducted out of the aforesaid Sum̃e of twelve thousand fiue hundred thirty seven pounds And itt is granted Whereupon itt is considered by the Court here that the said Richard Covell recover against the said Edward Gunnell the sum̃e of seven thousand five hundred seventy foure pounds of tobacco due upon the ballance of the accompts aforesaid As also Eight hundred & twelve pounds of tobacco costs of suite And the Defend^t in mercy

Tho: Smith ag^t Jno Dormand } Com̃and was given to the Sheriffe of St Maryes County, that whereas John Dormand was Attached to Answer unto Thomas Smith in a plea of trespas upon the case In such manner in this Court itt is proceeded that the said Thomas Smith ought to recover against the said John Dormand his dam̃ages by reason of the p^rmisses, but because itt was not known what dam̃ages the aforesaid Thomas Smith hath sustained by occasion thereof Therefore itt was com̃anded the same Sheriffe that he cause to come here to witt the fifteenth day of Octob^r in the third yeare of the Dominion of Charles Lord Baltemore &c Anōq̃ Doni 1678. twelve good & lawfull men of his County diligently to enquire what dam̃ages the aforesaid Thomas Smith hath sustained by occasion of the p^rmisses

Att which said ffifteenth day of October in the yeare aforesaid came as well the said Thomas Smith by Christopher Rousby his Attorney as the said John Dormand by Robert Ridgely his Attorney And the Jurors impannelled being called likewise came to witt Richard Boughton, Robert Mason, Thomas Doxey, John Doxey, James Rumsey, Tho: Bowdle, Tho: Osborne, Lewis Blangy, Tho: Mountford, Henry Howard, Tho: Gilbert & Richard Hodgson who being elected tryed & sworne to say the truth in the p^r^misses upon their Oaths doe say that the said Thomas Smith hath sustained damages by occasion of the p^r^misses to ffive thousand five hundred & forty pounds of tobacco Therefore itt is granted by the Court here that the said Thomas Smith recover ag^t^ the said John Dormand the aforesaid sume of five thousand five hundred & forty pounds of tobacco damages by the Jurors aforesaid in forme aforesaid assessed And the said Jno Dormand in mercy Liber N N

ffrancis Dorrington ag^t^ Jno Sunderland Ad^r^ James Humes — Comand was given to the Sheriffe of St Maryes County, that whereas John Sunderland late of the Cliffts in Calvert County planter Adm^r^ of the Goods & Chattles of James Humes was Attached to Answer unto ffrancis Dorington p. 744

in a plea of trespas on the case &c for that whereas upon the ffifteenth day of May in the yeare of our Lord God One thousand six hundred seventy & six att the then dwelling house of the said James Humes certaine communicacon was had & moved between the aforesaid ffrancis Dorington & the aforesaid James Humes of & concerning marriage between him the said ffrancis & one Sarah Humes naturall daughter of him the said James Humes to be had & solemnized Upon which communicacon he the said James Humes then & there in consideracon that the aforesaid ffrancis Dorington att the speciall instance & request of him the said James would take to his wife the aforesaid Sarah & would espouse the same Sarah according to the rights & customes of this Province of Maryland, did assume upon himselfe & to him the said ffrancis did then & there faithfully promise, that he the said James would well & faithfully content pay & deliver to him the said ffrancis one full equall fourth part of all & singuler the personall Estate of him the said James Humes the whole being equally divided into foure parts And he the said ffrancis Dorrington in fact saith, that he the said ffrancis trusting to the faithfull promise & assumption of him the said James aforesaid Afterwards to witt the nine & twentieth day of June in the yeare of our Lord God one thousand six hundred Seventy & six att the house of the said James Humes upon the Clifts in the said County of Calvert did take to his wife the aforesaid Sarah, & the same Sarah according to the rights & Customes of the Province of Maryland then & there espoused Yet the aforesaid James little reguarding his promise &

Liber N N assumpcōn aforesaid, but plotting and fraudulently intending the said ffrancis in that behalfe to deceive & defraud the aforesaid equall fourth part of his said personall Estate or any part thereof according to his promise & assumpcōn so as aforesaid made in his life tyme to the aforesaid ffrancis Dorrington hath not paid or deliuered nor in any manner for the same given content nor the said John Sunderland since the death of the said James Humes Admist^r of the Goods & Chattles of the said James Humes although often thereunto required the said one full equall part of all & singuler the personall Estate of the said James Humes hath not paid or delivered nor in any manner for the same given content By which he the said ffrancis Dorrington divers comodities profitts & advantages might have had & gained if the aforesaid James his promise & assumpcōn aforesaid in forme aforesaid had performed hath totally lost & is deprived of to his damage twenty foure thousand pounds of tobacco In such manner itt is proceeded in this Court the Seventeenth day of June in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1678 that the said ffrancis Dorrington ought to recover against the said John Sunderland Adm^r as aforesaid his damages by reason of the p^rmisses, but because itt is not known what damāges the aforesaid ffrancis Dorrington hath sustained by occasion thereof Therefore itt is comanded the same Sheriffe that he cause to come here to witt the ffifteenth day of October in the yeare aforesaid twelve good and lawfull men within his bailywick diligently to enquire what damages the aforesaid ffrancis Dorrington hath sustained by occasion of the p^rmisses

p. 745

Att which said ffifteenth day of October in the yeare aforesaid cometh as well the said ffrancis Dorrington by George Parker his Attorney as the said John Sunderland by Robert Carvile his Attorney And the jurors impannelled being called likewise come to witt Thomas Hedge, Wm Thomas, Randall Revell, Henry Parker, Joseph Tilley, David Holt, John Highland, Morgan Jones, John Warren, John Hollins, Thomas Pattison & Thomas Jones who being elected tryed & sworne to say the truth in the p^rmisses upon their Oaths doe say that the said ffrancis Dorrington hath sustained damages by occasion of the p^rmisses to Eleven thousand Eight hundred & Eighteen pounds of tobacco Therefore itt is granted by the Court here that the said ffrancis Dorrington recover against the said John Sunderland Adm^r as aforesaid the Sume of Eleven thousand Eight hundred & Eighteen pounds of tobacco damāges by the jurors aforesaid in forme aforesaid assessed As also three thousand three hundred forty two pounds of tobacco costs of suite.

Henry Phipps ag^t Henry Stocket } His Lordshipp the Lord Prop^ry of this Province sendeth his Comission to Walter Hall & John Addison gent^l directed which followes in these words Viz^t Charles absolute Lord & Prop^ry of the Prov-

inces of Maryland & Avalon Lord Baron of Baltemore &c To Walter Hall & John Addison gentl greeting Whereas Henry Stocket late of Ann Arundell County was sumōned to Answer unto Henry Phippes of a plea that he render unto him his reasonable accompt for the tyme of was Receiver of the tobacco of him the said Henry Phippes Now so farr itt is proceeded in our Provinciall Court that the said Henry Stocket ought to accompt with the said Henry Phippes Wee doe therefore hereby authorize & appoint you the said Walter Hall & John Addison Auditors to audite state & examine the accompts of the said parties And that you meet att such tyme & place as to you shall seem meet And that the said parties doe then & there attend you untill the accompts be fully stated by you And you are hereby further impowered and appointed to Administer Oaths to any wittnesses that shall be pduced before you as well on the part of the plaintiffe as on the part of the Defendt And the said accompts when audited & stated between the said parties, that you the said Auditors make report thereof unto our Justices of our Provinciall Court the twelfth day of October next under your hands & Seales And for yor proceedings herein this shall be your warrant Wittnes our trusty & welbeloved Thomas Notley Esqr our Lievt Genll & chiefe Justice of our said Province the seventh day of October in the third yeare of our Dominion &c Annoqꝫ Doni 1678. Liber N N

Att which said twelfth day of October in the yeare aforesaid the Auditor aforesaid make their report under their hands & Seales, and deliver the same into Court with an accompt thereunto annexed of Debitor and Creditor which is as followes Vizt

Laus Deo in Maryland Octobr 9th 1678 p. 746

The account of Henry Stocket late of Ann Arundell County made att the City of St Maryes the day of Octobr in the third yeare of the Dominion of the right Honble Charles &c Annoqꝫ Doni 1678 before Walter Hall & John Addison gentl Auditors assigned by the Provinciall Court of the said Lord Proprty to heare the account of him the said Henry before the Justices of the same Court depending for the tyme that he was Receiver of the tobaccoes of Henry Phippes Administrator of the Goods & Chattles of Edward Maynard deceased

Dr

		℔ tob:
The said accomptant chargeth himselfe tob: received of Mr Tho: Marsh	.....	2000
The said Accompt further chargeth himselfe wth Robt Proctors Execucōn	.....	2358
The said Accomptant also chargeth himselfe wth John Beamonts two Execucōns amounting to in the whole	.....	5051

Liber N N

The said Accomptant also chargeth himselfe with Tho: Knightons Execucōn amounting to.....	2312
The said Accomptant chargeth himself likewise with the Execucōn of Tho: Turner amounting to	3285
	15006
Mr Henry Phippes Dr to balt to this acct.....	589
	15595

Cr

The said Accomptant craveth allowance for these paymts & disbursemts & tob: not received following Vizt

	℔ tob:
To Tho: Turners Execucōn, dead before itt came to hand.....	3285
to tobacco pd Garrat VSweringen by yor ordr	1500
To the expences of John Carpenter bringing down yor horse.....	350
To Sheriffes ffees.....	425
To foure hhds of tob: marked HP recd of Mr Marsh, lye still in the Countrey...	1706
To an Execucōn agt Capt Hill Adr of Rawbone, being part of Proctors debt.....	1400
To Boyds receipt to Jno Beamont.....	1500
To tob: yet due from sd Beamont.....	2741
To Boyds receipt from Tho: Knighton.....	1492
To Tho: Knighton allowed by the Provinciall Court as a wittnes for you.....	510
To the said Tho: Knightons bill payable to you	310
To sallery for receiving ℔ tob: 3768 att 10 p Cent.....	376
Errors excepted Robt Ridgely Att of Hen: Stocket	15595

We the Auditors appointed by the Court betwixt Mr Henry Phippes plaintiffe & Mr Henry Stocket Defendt

To the first Article in the account Credit we finde itt cannot be allowed without further proofe

To the second itt ought to be allowed the Defendt

To the third itt ought not to be allowed said Defendt

To the fourth itt ought to be allowed said Defend[t] Liber N N
To the fifth itt ought not to be allowed said Defend[t]
To the sixth itt ought not to be allowed said Defend[t]
To the seventh itt ought not to be allowed said Defend[t]
To the Eight itt ought not to be allowed said Defend[t]
To the ninth itt ought not to be allowed said Defend[t]
To the tenth itt ought to be allowed said Defend[t]
To the Eleventh itt ought not to be allowed said Defend[t]
To the twelfth & last itt ought not to be allowed said Defend[t]

In execution to the Comission hereto annexed, M[r] Robert Ridgely Attorney to M[r] Henry Stocket brought before as the account thereto annexed of which we allow as aboue written Wittnes our hands & Seales this twelfth of Octob[r] 1678

Walter Hall (sealed)
Jn[o] Addison (sealed)

Which account aforesaid & report of the Auditors being read & heard the Court will advise before they giue judgem[t] thereupon untill Munday the fourteenth day of the aforesaid month of October p. 747

On which said fourteenth day of October in the yeare aforesaid cometh as well the said Henry Phippes by Kenelm Cheseldyn his Attorney as the said Henry Stocket by Robert Ridgely his Attorney And the Account & report of the Auditors aforesaid being read & heard, the said parties by their Attorneys aforesaid doe referre themselves to the judgem[t] of the Court therein And the said Henry Stocket by his Attorney aforesaid acknowledged himselfe accomptable to the said Henry Phippes for the Sum̃e of ffifteen thousand & six pounds of tobacco And the particulers of the Creditt side of which the said Henry Stocket craveth an allowance being read & argued, these following particulers are allowed by the Court & no more Viz[t] Thomas Turners Execucōn for three thousand two hundred Eighty five pounds of tobacco. Thomas Knighton allowed by the Provinciall Court as a wittnes for Henry Phippes five hundred & tenn pounds of tobacco And ffifteen hundred pounds of tobacco paid to Garret VanSweringen by order of the said Henry Phippes Whereupon itt is granted by the Court here that the said Henry Phippes recover against the said Henry Stocket the Sum̃e of Nine thousand seven hundred & Eleven pounds of tobacco due upon the ballance of the Accompts aforesaid As also Eleven hundred forty six pounds of tobacco costs of suite

Memorandum that on the fourth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 his said Lordpp sendeth his writt of Adjournm[t] of the Provinciall Court to his Lordpps Justices of this Court & the respective Sheriffes of this Province thereby adjourning the said Court untill

Liber N N the fifth day of the same March att nine of the clock in the morning Att which said fifth day of March the said Court was by his Lordpps Writt of Adjournem^{t} adjourned untill the sixth day of the same March att nine of the clock to be held att the City of St Maryes, att which said sixth day of March were present

The Honble Philip Calvert Esqr Chancelour
Wm Calvert Esqr Principall Secretary
Baker Brooke Esqr Survey^{r} Gen^{ll}
Thomas Tailor Esqr
Benj^{a} Rozer Esqr
} Justices

Nic: Painter Clerke

John Longden ag^{t} Tho: Clarke
Benjamin Hunt ag^{t} Abigail Wright Adm^{x} Arthur Wright
} These two actions are continued by consent of the Attorneys on both sides.

p. 748 Tho: Hagelton ag^{t} Tho: Trueman } Ordered by the Court here, that unlesse the Defend^{t} Sue forth out of his Lordpps High Court of Chancery a Writt of Error against the plaintiffe in this cause, returnable and to be heard & argued before the Upper house att the next Gen^{ll} Sessions of Assembly, or come to tryall att the next Provinciall Court, that judgem^{t} be then entred up against the Defend^{t} by default for want of a plea

Thomas Marsh ag^{t} Stephen Burle
Tho: Bland ag^{t} Edwd Dorsey
Christopher Spry & ux Adm^{x} John Hales ag^{t} Robert Large
James Lewis ag^{t} Miles Grey
Wm Gaskin ag^{t} Wm Hemsley

Liber N N

Garrat VanSweringen ag^{t} John Quigley	These twelue actions are continued untill next Court
Edward Man ag^{t} Nathaniel Teigle	
John Price ag^{t} John Maning	
Henry Stocket & James Stavely Ex^{rs} Nathl Stiles ag^{t} John Ireland	
Robert Ridgely ag^{t} Samuel Leadbeater	
Roger Baker ag^{t} Margaret Gittings Ex^{x} John Gittings	
Richard Royston ag^{t} Thomas Vaughan	

p. 749

John Moll ag^{t} Mary Roe Ex^{x} Edward Roe	The plaintiffe not appearing to prosecute his writt, this cause was dismissed by the Court
John Burnham ag^{t} Tho: Tailor Esqr	This action is continued by the Court untill next Court
Robert Williams ag^{t} Wm Coleborne	William Coleborne late of Som^{r}sett County gent^{l} was Attached to Answer unto Robert Williams M^{r}chant in a plea of trespas upon the case

And whereupon the said Robert by Kenelm Cheseldyn his Attorney complaineth & saith, for that whereas the said William the twenty Eighth day of November in the yeare of our Lord One thousand six hundred seventy & one here in s^{t} Maryes within the liberty of the Province of Maryland aforesaid, in consideracoñ that the said Robert att the speciall instance & request of the said William had then and there sold & deliuered unto the said William severall M^{r}chandizes and M^{r}chandry wares, & for the rates & prices of twenty foure thousand three hundred seventy & Eight

Liber N N pounds of tobacco, upon himselfe did assume & to the said Robert did then & there faithfully promise that he the said William the said twenty foure thousand three hundred seventy Eight pounds of tobacco to the said Robert upon all demands would well & truely pay & content And whereas also the said William afterwards to witt the said twenty Eighth day of November in the said yeare of our Lord One thousand six hundred Seventy & one here att St Maryes aforesaid within the liberty &c was indebted unto the said Robert in the sum̃e & quantity of twenty foure thousand three hundred seventy Eight pounds of tobacco for divers Merchandizes & Merchantry wares to the said William by the said Robert before that tyme sould & delivered And being so thereof indebted he the said William afterwards to witt the twenty ninth day of November in the yeare & place aforesaid within the liberty aforesaid in consideracōn thereof upon himselfe assumed & to the said Robert then & there faithfully promised, that he the said William the said Twenty foure thousand three hundred seventy Eight pounds of tobacco last mencoñed when thereunto requested would likewise well & truely content & pay, which said severall Sum̃es in the whole amount unto fforty eight thousand seven hundred fifty & six pounds of tobacco Yett the said W^m^ his severall promises & assumpcōns in forme aforesaid made not reguarding, but endeavouring & fraudulently intending the said Robert of the said fforty eight thousand Seven hundred fifty & six pounds of tobacco in this behalfe craftily & subtily to deceive & defraud, the same to the said Robert according to his severall promises & assumpcōns aforesaid hath not paid nor him for same in any wise contented, although so to doe the said William afterwards to witt the last day of December in the yeare & place
p.750 Aforesaid here att St Maryes aforesaid & within the liberty aforesaid was by the said Robert thereunto requested but the same to him to pay hath hitherto refused & yet doe refuse to the dam̃age of him the said Robert of fforty Eight thousand seven hundred fifty six pounds of tobacco & thereupon he bringeth his suite &c

And the said William Colebourne by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the twelfth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 cometh the said parties by their Attorneys aforesaid And the said William by his said Attorney saith, that he did not assume & promise in manner & forme as the said Robert Williams above against him hath declared, & of this he putts himselfe upon the Country And the said Robert Williams also Whereupon itt is com̃anded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c Att which said twelfth day of March in the

yeare aforesaid cometh as well the said plaintiffe as the said Defend^{t} by their Attorneys aforesaid And the jurors impannelled being called likewise come to witt Richard Marsham, Leonard Green, Wm Thomas, Wm Watson, Thomas Jones, John Glover, Robert Bryan, George Godfrey, Theophilus Turford, Edward Turner, Philip Pocock & Joshua Guibert who being Elected tryed & Sworne to say the truth in the p^{r}misses upon their Oaths doe say that the said Wm Coleborne did not assume & promise in manner & forme as the said Robert above against him hath declared Therefore itt is granted that the said Robert Williams take nothing by his writt aforesaid, but be in mercy for his false clamour thereupon prosecuted And the said Wm Coleborne may goe thereof without day And that the said Wm Coleborne recover against the said Robert Williams the Sum̃e of One thousand Seventy & nine pounds of tobacco for his costs & charges by him about his defence in this behalfe sustained to the same W^{m} by the discretion of the Justices here adjudged And that the said W^{m} may have thereof Execucōn Liber N N

Thomas Carlisle
John Watson Ex^{rs}
Jno Cuningham ag^{t}
Jno Addison Ex^{r}
Nich: Proddy

John Addison M^{r}chant late of St Maryes County Ex^{r} of the last Will & Testam^{t} of Nicholas Proddy gent$\bar{l}$ a$\bar{l}$s dictus Nicholas Proddy of Charles County in the Province of Maryland gent$\bar{l}$ was Attached to Answer unto Thomas Carlisle & John Watson M^{r}chants Exec^{rs} of the last Will & testam^{t} of John Cuningham M^{r}chant of a plea that he render unto them ffive thousand Eight hundred & fifty pounds of tobacco which to them he oweth & from them he unjustly detaineth

And whereupon the said Carlisle & Watson by Kenelm Cheseldyn their Attorney, saith, that whereas the said Nicholas Proddy upon the twenty fifth day of May Anno Doni One thousand six hundred Seventy six by his certaine bill or writeing obligatory sealed With the Seale of him the said Nicholas Proddy & here in Court produced whose date is the day & yeare abovesaid did confesse & acknowledge himselfe to owe & stand justly indebted unto the abovesaid John Cuningham deceased in the just & full sum̃e of the said ffive thousand Eight hundred & fifty pounds of good sound M^{r}chantable leafe tobacco in caske, which said sum̃e of ffive thousand Eight hundred & fifty pounds of tobacco he did thereby promise & ingage to pay or cause to be well & truely paid to the said John Cuningham to his Ex^{rs} or assignes or to his certaine Attorney att some convenient place in the said County & that upon all demands after the tenth day of October next ensueing the date thereof, for the true payment whereof the said Nicholas Proddy did binde himselfe his Exec^{rs} & Adm^{rs} firmly by the said Yet notwithstanding the said Nicholas Proddy in his life tyme nor the said John Addison since his death p. 751

Liber N N the said sum̃e of ffive thousand Eighth hundred & fifty pounds of tobacco to him the said John Cuningham in his life tyme nor unto the said Carlisle nor Watson since his death according to the tenour of the said bill hath not paid or satisfied, but the same to pay hath hitherto denyed & still doth deny to the dam̃age of them the said Carlisle & Watson Ten thousand pounds of tobacco & thereupon they bring their suite &c

And the said John Addison by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court, & itt is granted unto him, the same day is given to the plaintiffes also

Now here att this day to witt the Eighth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Anoq̃ Doni 1678 come as well the said plaintiffes as the said Defend^{ts} by their Attorneys aforesaid And the said Defend^{t} by his said Attorny saith that he for or by reason of any thing above by the said plaintiffes in manner & forme aforesaid alleadged against him he hath no need nor by the Law of the land is bound to Answer And for reasons according to the forme of the Statute in that case provided & made he saith, that the said plaintiffes in the Declaracoñ abovesaid entitle themselves to sue & bring the action abovesaid against him the said John as Exec^{r} of the last Will & Testament of John Cuningham M^{r}chant deceased, but doe not therein nominate Wm Hatton and Robert Graham that were also Exec^{rs} of the said Cuningham, nor expresse by whom the Letters Testamentory of the Testam^{t} of the said Cuningham was so granted, nor doe they shew forth the said Letters Testamentory under the Seale of the Judge Com̃issary or Officer for probate of Wills &c in this Province, whereby itt may appeare to the Court here that the said plaintiffes are in truth Ex^{rs} of the last Will & testament of the said John Cuningham deceased & right have to sue & bring the action aforesaid And this he is ready to verifie and prayeth judgem^{t} of the Court whether he shall be compelled to make any other or further Answer hereunto Which being read & heard the said plaintiffes by their Attorney aforesaid say that they will make no further prosecution against the said Defend^{t} in the plea aforesaid Therefore itt is considered by the Court here that the said plaintiffes take nothing by their writt, but be in mercy for their false claime And that the said Defend^{t} goe thereof without day

p. 752 Tho: Mountfort ag^{t} James Wasse } James Wasse was Attached to Answer unto Thomas in a plea of trespas upon the case

And the said James Wasse by Robert Carvile his Attorney cometh & defendeth the force & injury when &c And the said Thomas Mountfort although solemnly called came not to preferr his declaracoñ & prosecute his writt against

the said James Wasse Therefore itt is considered by the Court here this day to witt the Eleventh day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 that the said Thomas Mountfort take nothing by his writt And that the said James Wasse goe thereof without day And that the said James Wasse recover against the said Thomas Mountfort the sum̃e of Eight hundred Eighty seven pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said Thomas in mercy for his false claime Liber N N

Peter Bayard & Egidius Luke ag^{t} Abigail Wright Ad^{x} Arthur Wright	These Eight actions are continued untill next Court by consent of the Attorneys on both sides
Wm Crosse ag^{t} Wm Hemsley	
John Darnall ag^{t} Wm Harris	
Edward Man ag^{t} John Atkey	
David Jones ag^{t} Tho: Todd Ex^{r} Tho: Todd	
Robert Ellys ag^{t} John Quigley	
Jonathan Sibrey ag^{t} Henry Penington	
Henry Stocket & James Stavely Ex^{rs} Nathl Stiles ag^{t} Henry Johnson & ux Adm^{x} Nathl Utie	

Robert Graham & ux Ex^{x} Geo: Macall ag^{t} Mary Ward Ex^{x} Matt: Ward	Mary Ward Exec^{x} of the last Will & testam^{t} of Matthew Ward deceased was Attached to Answer unto Robert Graham & Ann his wife Exec^{x} of the last Will & testament of George Macall deceased in a plea of trespas upon the case

p. 753

Liber N N And whereupon the said Robert & Ann by Kenelm Cheseldyn their Attorney complaineth, that whereas the said Matthew in his life tyme was indebted the Sum̃e of two thousand pounds of tobacco to one Edward Rooke of London in the Kingdome of England, the said Matthew in consideracōn that the said George Macall would pay the said two thousand pounds of tobacco to the said Edward & take in the bill so as aforesaid passed to the said Edward, the said Matthew the tenth day of May One thousand six hundred Seventy five did assume upon himselfe & to the said George did faithfully promise that he the said Matthew would pay to the said George when required the said Sum̃e of two thousand pounds of tobacco And the said Robert & Ann in fact saith, that the said George in his life tyme did pay the said two thousand pounds of tobacco to the said Edward as aforesaid, & did take in the said Matthews bill passed as aforesaid Notwithstanding which the said Matthew in his life tyme nor the said Mary since his death though often thereunto required the same hath not paid to the said George in his life tyme nor to the said Robert & Ann since his death Exec^x of the last Will & Testam^t of the said George, but the same to pay hitherto hath & still doth deny to pay to the dam̃age of the said Robert & Ann the sum̃e of foure thousand pounds of tobacco And the said Robert & Ann bring here in Court the Letters testamentory of the said George to her granted that itt may appeare that she is Exec^x of the said George

Robt Graham & ux: Exec^x George Macall ag^t Mary Ward Ex^x Matthew Ward	Mary Ward late of Talbot County Exec^x of the last Will and Testam^t of Matthew Ward deceased was Attached to answer unto Robert Graham & Ann his wife Exec^x of the last Will & Testament of George Macall deceased in a plea of tres-

passe upon the case

And whereupon the said Robert & Ann by Kenelm Cheseldyn their Attorny complaine, that whereas one John Rodway of Talbot County in his life tyme was indebted to the said George Macall in his life tyme the sum̃e of twelve thousand two hundred & thirteen pounds of tobacco the said John Rodway did deliver unto the said George severall persons bills liveing in the said County of talbot & upon the Eastern shore, together with a Letter of Attorney for to recover the same for the satisfaction of the debt aforesaid due to the said George a particuler of which bills are here in Court produced amounting to the said sum̃e of twelve thousand two hundred & thirteen pounds of tobacco And the said George being desirous to imploy some skillfull & honest person to receive the same, the said Matthew Ward the fifteenth day of December in the yeare of our Lord One thousand six hundred seventy foure in consideracōn that the said

George Macall would imploy one Robert Macklin then liveing in Talbot County his loveing friend to receive the same, & would deliver unto the said Matthew the said bills together with the said Letter of Attorney, the said Matthew did assume upon himselfe, & to the said George did faithfully promise that he the said Matthew would deliuer the same to the said Robert Macklin & returne a receipt to the said George from the said Robert Macklin for the said debts And the said Robert & Ann in fact say that the said George in his life tyme did deliver the said bills & Letter of Attorney aforesaid to the said Matthew to be delivered to the said Robert Macklin as aforesaid to be received for the use of him the said George as aforesaid Notwithstanding which the said Matthew in his life tyme nor the said Mary since his death Exec^x^ of the last Will & testament of the said Matthew according to his promise the receipt aforesaid for the said bills from the said Robert hath not returned to the said George in his life tyme nor to the said Robert & Ann since his death Exec^x^ of the last Will & testam^t^ of the said George though often thereunto required, but the same to returne hitherto hath & still doth deny to returne whereby the said Robert & Ann are uncapable of recovering the debts aforesaid to the damage of the said Robert & Ann Eighteen thousand pounds of tobacco & thereupon they bring their suite

Liber N N

p. 754

And the said Mary by Robert Carvile her Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto her, the same day is given to the plaintiffes also

Now here att this day to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1678 came as well the said plaintiffes as the said Defend^t^ by their Attorneys aforesaid And the said Mary by her said Attorney saith, that the plaintiffes their action aforesaid against her ought not to haue, because she saith that the said Matthew Ward in his life tyme to witt upon the seventh day of January One thousand six hundred seventy foure did deliuer unto the said Robert Macklin the bills & Letter of Attorney in the list to the said Declaracōn annexed mencōned, & took a receipt for the same, & gave an accompt thereof to the said George Macall in his life tyme according to his promise aforesaid And the said Macklin in his life tyme & Wm Bishopp Administrato^rs^ of the Goods & Chattels of the said Robert Macklin since his death haue fully accompted wth the said George Macall in his life tyme or with Ann Macall Exec^x^ of the said George Macall since his death while she was sole, & with the said Robert & Ann since their intermarriage of for & concerning the same bills And the said Mary ought not to be charged therewith And this she is ready to averr And demands judgem^t^ if the said plaintiffes their accoñ aforesaid against her ought to haue Which being read & heard the

Liber N N said plaintiffes by their Attorney aforesaid say that they will make no further prosecution against the said Defend^{t} in the plea aforesaid Therefore itt is considered by the Court here that the said plaintiffes take nothing by their writt, but be in mercy for their false claime And that the said Defend^{t} goe thereof without day

Thomas Bland ag^{t} Edward Dorsey } This action is continued untill next Court.

p. 755 Robert Williams ag Mary Ward Exec^{x} Matthew Ward } Mary Ward Exec^{x} of the last Will & Testam^{t} of Matthew Ward deceased was Attached to Answer unto Robert Williams in a plea of trespas upon the case

And whereupon the said Robert by Kenelm Cheseldyn his Attorny complaineth, that whereas the said Matthew in his life tyme to witt the Seventeenth day of May in the yeare of our Lord One thousand six hundred seventy five stood indebted unto one Edward Rooke of London the sum̃e of two thousand pounds of tobacco by bill under hand & Seale, the said Matthew the day & yeare aforesaid in consideration that George Macall then Attorney for the said Robert Williams would pay the said two thousand pounds of tobacco to the said Rooke & take in his bill passed as aforesaid as Attorney aforesaid, the said Matthew did assume upon himselfe & to the said George Macall Attorny aforesaid of the said Robert Williams did faithfully promise that he the said Matthew would when required pay unto the said Robert Williams the Sume of two thousand pounds of tobacco paid as aforesaid to the said Edward Rooke by the said Robert Williams on the behalfe of him the said Mathew Ward And the said Robert in fact saith, that the said George as he was Attorney of him the said Robert did out of the tobaccos of him the said Robert pay the said Sum̃e of two thousand pounds of tobacco aforesaid Notwithstanding which the said Matthew the said sum̃e of two thousand pounds of tobacco according to his promise to him the said Robert Williams hath not paid in his life tyme nor the said Mary since his death Exec^{x} of the last Will & testament of the said Matthew hath not paid though often thereunto required but the same to pay hitherto hath & still denies to the dam̃age of the said Robert the sum̃e of ffoure thousand pounds of tobacco & thereupon he bringeth his suite

And the said Mary by Robert Carvile her Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto her, the same day is given to the plaintiff also.

Now here att this day to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678. cometh the said parties by their Attorneys aforesaid

And the said Mary by her said Attorney saith, that the said Matthew in his life tyme did not assume upon himself nor to the said George make such promise in manner & forme as the said Robert hath above declared against her, & of this she putts herselfe upon the Countrey And the said Robert also Therefore itt is comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c Att which said thirteenth day of March in the yeare aforesaid cometh as well the said plaintiff as the said Defend^t^ by their Attorneys aforesaid And the jurors impannelled being called likewise come to witt John Addison, John Wynne, Miles Grey, Christopher Benbridge, Charles Hea, Wm Vaughan, Emanuel Ratcliffe, Joseph Edloe, John Portwood, John Watson, John Manley & Nicholas Hacket who being Elected tryed & sworne to say the truth in the p^r^mises upon their Oaths doe say that the said Matthew Ward in his life did assume upon himselfe & make such promise in manner & forme as the said Robert above hath declared And they assesse the damage of the said Robert to two thousand pounds of tobacco Therefore itt is considered by the Court Here that the said Robert Williams recover against the Estate of the said Matthew Ward as well the sume of two thousand pounds of tobacco damages by the Jurors aforesaid in forme aforesaid assessed As also One thousand & foure pounds of tobacco costs of suite And the said Mary in mercy &c

Liber N N

p. 756

Mary Roe Exec^x^
Edward Roe
ag^t^
Wm Hemsley

Saml Hatton & ux
Ad^x^ Richard Gorsuch
ag^t^
the same

Edward Inglish
ag^t^
James Floyd

Vincent Lowe
ag^t^
Tho: Vaughan

Jonathan Sibrey
ag^t^
Charles Howell

Henry Stocket
ag^t^
James Stavely

Richard Attwood
ag^t^
Marke Cordea

These twelve actions are agreed

Liber N N

Robert Carvile
ag^{t}
Garret VSweringen

the same
ag^{t}
the same Adm^{r}
John Deery

Lewis Blangy & ux
Adm^{x} Disborah
Bennet
ag^{t}
Thomas Brite

Thomas Doxey
ag^{t}
John Evans

Richard Hill
ag^{t}
John Welsh

p. 757 George Tyte
ag^{t}
Francis Johnson

Francis Johnson late of St Maryes County was Attached to Answer unto George Tyte Marriner of a plea of trespasse upon the case

And whereupon the said George Tyte by Robert Ridgely his Attorney complaineth, that whereas he the said George Tyte is a good faithfull honest & just man, & so from the tyme of his nativity in the Kingdome of England & in this Province hath well honestly & justly beheaved & demeaned himselfe, & was so known & reputed both in England & in this Province to have behaved & carryed himselfe & to be of a good name fame reputacoñ and creditt amongst all the good people that he from tyme to either in Bristoll or in this Province hath had occasion to deale trade traffick or comerce with, & from tyme to tyme for this foure yeares last past hath brought into this Province divers & considerable quantities & Cargoes of goods & M^{r}chandizes which he hath vended & sould to the Inhabitants of this Province, to his very great profitt benifitt & advantage, & for the same hath bin paid in tobacco by the Inhabitants of this Province, which he hath carryed out of this Province into England, & there vended & sould the same to his very great advantage, by meanes whereof he had not only procured to himselfe a comfortable maintenance & livelyhood, but was in great creditt fame and reputacōn with most of the eminent persons as well of the City of Bristoll where he lives, as also of this Province where he trades & traffiques as aforesaid. Of which creditt reputacōn honesty justnes & faithfullnes of the said George Tyte divers eminent & wealthy persons of the said City of Bristoll Owners of the Shipp Maryland M^{r}chant of Bristoll aforesaid takeing particuler

notice did imploy & entrust the said George Tyte not only to be Master of the said Shipp Maryland M^r^chant, but also with divers great & considerable quantityes of Goods & M^r^chandizes for them to sell vend & dispose in this Province, by which the said George did not only gett & obtaine to himselfe an honest & comfortable livelyhood for himselfe & ffamily, but also was likely by the same imployments and dealing to acquire to himselfe a considerable Estate Yet the said ffrancis Johnson being not ignorant of the p^r^misses but out of his meer & evill malice deviseing to hurt detract darken blast & utterly to destroy the name fame estimacōn reputacōn & creditt of the said George Tyte, & to bring him into trouble vexation scandall and infamy, by which the said George should be rendred a person not fitt to be imployed or intrusted as aforesaid, nor to trade and traffique as aforesaid, the said ffrancis Johnson the seventh day of August One thousand six hundred seventy seven att the house of Stephen Murty att New Towne in the said County of St Maryes being in the tyme of the County Court then & there held, openly and publickly & in the p^r^sence & hearing of many of the good people of this Province did say repeat affirme publish & pronounce with an audible & loud voice these words following vizt I tell you that Tyte (meaning him the said George Tyte) is a cheating rogue & a knave & a cheating knave & a rogue, & I (meaning himselfe the said ffrancis Johnson) will so prove itt, And that he (meaning the said George Tyte) cheats the Countrey with false weights & measures By reason of the saying & pronouncing of which said scandalous Malicious & false words the same George is not only in his good name fame credit & reputacōn extreamly damnified & hurt amongst the good people of this Province, but also with divers of the M^r^chants of Bristoll his Owners & Imployers he being rendred by the said words unfitt to be imployed and entrusted by any person whatsoever either in this Province or elsewhere, or to drive any trade negotiate deale contract buy or sell with any person And also may be Indicted upon the Statute against false weights & measures & be brought in danger of suffering such paines & penalties that are to be inflicted on such persons that are guilty of the said Crimes by the said Statute to the damage of the said George Tyte twenty thousand pounds of tobacco & thereupon he bringeth his suite

Liber N N

p. 758

And the said ffrancis Johnson by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the twelfth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1678 cometh as well the said plaintiffe as the said Defend^t^ by their Attorneys aforesaid And the said ffrancis by his said Attorney saith, that the said George Tyte his action aforesaid against him

Liber N N ought not, for that he saith that the words in the declaracōn above supposed to be said & published by him the said ffrancis Viz^{t} that is to say I tell you that Tyte (inuendo the said George Tyte is a cheating Rogue & a knave & a Rogue & cheates the Countrey with false measures, he is in no wise thereof guilty & of this he putts himselfe upon the Countrey And the plaintiffe also And for the other words in the declaracoñ above supposed to be spoken & published vizt inuendo I the said ffrancis Johnson will prove inuendo the said George Tyte cheats the Countrey with false weights, the said ffrancis saith the said George his action aforesaid ought not, for that he saith that before the tyme in which itt is supposed him the said ffrancis to haue spoken & published the said words in the declaracōn above specified of the said George Tyte, that is to say in the yeare of our Lord, the said George Tyte did upon his own account weigh & receive with his own stilliards accustomed to weigh tobacco with several hogsheads of tobacco of severall persons in the County of St Maryes, which being after weighed by others with Stilliards tryed by the Standard weighed fifty pounds weight in the hogshead more then they weighed by the said Georges Stilliards, whereof the said ffrancis afterwards to witt the day & yeare in the declaracōn aforesaid did publish & say the words aforesaid as well itt was lawfull for him, & this he is ready to averr whereupon he craves judgem^{t} whether the said George his action aforesaid against him ought to have. And the said George Tyte that by any thing before by the said ffrancis alleadged the said George saith he ought not to be barred because he saith that the said ffrancis of his owne proper wrong & without any cause by him the said ffrancis aboue alleadged
p. 759 did speake of the said George the said English Words in the Declaracōn above specified that is to say I the said ffrancis will prove that he (meaning the said George Tyte) cheats the Countrey with false weights & measures, as the said George above against the said ffrancis doth complaine And this he prayeth may be enquired of by the Countrey And the said ffrancis also Therefore itt is comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c Att which said twelfth day of March in the yeare aforesaid cometh as well the said plaintiffe as the said Defend^{t} by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt John Addison, John Wynne, Thomas Potter, Edward Pynn, Charles Hea, Wm Vaughan, Emanuell Ratcliffe, Joseph Edloe, Thomas Courtney, Henry Smith, John Portswood & John Watson who being elected tryed & sworne to say the truth in the p^{r}misses upon their Oaths doe say that the said ffrancis Johnson is not guilty of speaking of the said George Tyte the said English words in the declaracōn above specified. Therefore itt is considered by the Court here, that the said George take nothing by his writt, but be in mercy

for his false claime thereupon prosecuted And the aforesaid ffrancis may goe thereof without day And that the said ffrancis Johnson may recover against the said George Tyte the sum̃e of Eighteen hundred & ninety pounds of tobacco for his costs & charges by him about his defence in this behalfe sustained, to the said ffrancis by the discretion of the justices here adjudged And the aforesaid ffrancis may have thereof Execucōn. Liber N N

Lord Prop^{ry} ag^{t} Geo: Wharton } Memorandum that att a Provinciall Court held the Eleventh day of October, in the second yeare of the Dominion of Charles absolute Lord & Prop^{ry} of the Province of Maryland & Avalon &c here p^{r}sent in Court Kenelm Cheseldyn Attorney Generall of the said Lord Prop^{ry} in proper person who for the said Lord Prop^{ry} in this behalfe prosecuteth & exhibitteth to the Justices here a certaine Informacōn against George Wharton of Cecil County planter, thereby giveing the Court here to understand & be informed

That whereas the said George Wharton in the yeare One thousand six hundred Seventy foure, did by his certaine writeing obligatory Sealed with the Seale of the said George here in Court produced whose date is the same day & yeare above written, binde himselfe his heyres or assignes to pay or cause to be paid unto James Brown of Salem in New England his heyres or assignes the full & just sum̃e of Seven hundred thirty two pounds of tobacco upon demand after the tenth day of October next ensueing the date thereof And whereas the said James Browne afterwards to witt the fifteenth day of Novemb^{r} in the yeare of our Lord One thousand six hundred seventy five was before Charles James gent̃ his Lordpps Coroner of Baltemore County super visum Corporis lawfully found by the Oaths of twelve men of the same County to be a felo de se and thereby to have forfeited all his Goods & Chattells to the said Lord Prop^{ry} as by the said Inquisicōn upon Record doth appeare Yet neverthelesse the said George Wharton not ignorant of the p^{r}misses the said sum̃e of seven hundred thirty two pounds of tobacco to be forfeited as aforesaid but endeavouring & fraudulently intending the said Lord Prop^{ry} the said sum̃e of seven hundred Thirty two pounds of tobacco to deceive & defraud the same though often required hitherto hath and still doth deny to pay to the dam̃age of the said Lord Prop^{ry} two thousand pounds of tobacco, & in contempt of his said Lordpp & contrary to the Law, Whereupon the said Kenelm Attorney for the said Lord Prop^{ry} prayeth advice upon the p^{r}misses aforesaid, & that the said George may come here in Court & answer the said Prop^{ry} upon the same p. 760

And the said George Wharton by George Parker his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Liber N N

Now here att this day to witt the twelfth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 cometh as well the said Kenelm Cheseldyn Attorney Gen^ll as the said George by his Attorney aforesaid And the said George by his said Attorney saith that the said Attorney Gen^ll on the behalfe of the Honble Lord Prop^ry his action aforesaid against him ought not to have for that he saith, that whereas by one Act of Assembly made att a Gen^ll Assembly held att St Maries the fifteenth day of May in the first yeare of his Lordpps Dominion &c Annoq̃ Doni 1676 entituled an Act for easem^t of the Inhabitants of this Province in suites att Law for small debts, itt is amongst other things Enacted, that from & after the publicacōn of the said Act, no action for a booke debt or upon a plaine bill for or under the sum̃e of ffifteen hundred pounds of tobacco & caske shall be com̃enced or prosecuted against any Inhabitant in this Province in the Provinciall Courts, except only upon Appeales from the County Courts of this Province &c And itt was further Enacted in the said Act of Assembly, that if any person plaintiffe shall com̃ence or prosecute any suite or plaint in the Provinciall Court of this Province for or under the sum̃e of ffifteen hundred pounds of tobacco & caske in manner & forme as aforesaid shall suffer a Nonsuitt & pay such costs to the Defend^t as is usually granted by the Provinciall Court of the Province as by the said Act relacōn being thereunto had may more att large appeare And itt appearing by the said Kenelm Cheseldyn Attorney Gen^ll of the said right Honble Lord Prop^ry his own shewing in & by his informacōn who prosecuteth on the behalfe of his Lordpp that the debt or duty by the said Attorney Gen^ll in & by the said Informacōn claymed is not aboue seven hundred thirty two pounds of tobacco & caske, the said George Wharton pleadeth the said Act oft Assembly in barr of the said Action, & prayes judgem^t if the said Attorney Gen^ll on the behalfe of his Lordpp his action aforesaid against him ought to haue And the said Kenelm Cheseldyn Attorney Gen^ll as aforesaid saith, the said Lord Prop^ry aforesaid ought not to be barred by the Act of Assembly aforesaid, & of this demands judgem^t of the Court And the said Defend^t also Which plea of the said George Wharton above in barr pleaded being seen & by the Justices here fully understood, itt seemeth to the same Justices here
p. 761 that that plea in manner & forme aforesaid pleaded & the Matter in the same contained is insufficient in Law to preclude the said Attorney Gen^ll who &c from haveing his action aforesaid against him the said George Wharton Therefore itt is considered that the said Lord Prop^ry recover against the said George Wharton as well the aforesaid Sum̃e of Seven hundred thirty two pounds of tobacco debt As also two hundred thirty two pounds of tobacco costs of suite And the defendant in mercy &c^a

Wm Dare Admr
John Parker
agt
Richard Ladd & ux:
Execx Horsley

Richard Ladd & Rosamond his wife Execx of the last Will & Testamt of Joseph Horsely deceased were Sumoned to answer unto Wm Dare Admr of all & singuler the Goods Chattells rights & creditts of John Parker deceased of a plea that they render unto him the neat quantity of two thousand Eight hundred pounds of tobacco & caske which from him they unjustly detaine Liber N N

And whereupon the said Wm Dare by Robert Ridgely his Attorney complaineth, that whereas the said Joseph Horsely in his life tyme to witt the seventh day of June one thousand six hundred & seventy by his certaine bill obligatory sealed with the Seale of him the said Joseph & here in Court produced whose date is the day & yeare aforesaid, did binde himselfe his heyres Execrs or assignes to pay or cause to be well & truely paid unto John Parker English Mrchant his heyres Execrs Admrs or assignes the neat quantity of two Thousand Eight hundred pds of tobacco & caske according to Act of Assembly without ground leaves or seconds, payment thereof to be made att the dwelling house of the said Horsely before the tenth day of October next ensueing the date of the same bill Yett the aforesaid Joseph Horsely in his life tyme nor the said Rosamond while she was sole, nor the said Richard & Rosamond since the Nuptialls between them celebrated the said two thousand Eight hundred pounds of tobacco to him the said George Parker in his life tyme nor to the said William since his death to whom Admcon of all and singuler the goods Chattels rights & creditts which were of the said John Parker in his life tyme since his death hath been comitted according to the tenor of the said bill obligatory although often thereunto required hath not paid, but the same to pay hath denyed & as yet doth deny in retardacon of the Admcon of the goods & Chattells of the said John, & to the damage of the said Wm foure thousand pounds of tobacco & thereupon he bringeth his suite And the said Wm bringeth into Court here the Letters of Admcon to him granted upon the Estate of the said John Parker that itt may appeare to the Court here that he thereof hath the Admcon

And the said Richard & Rosamond by George Parker their Attorney come & defend the force & injury when &c and pray liberty to imparle hereunto untill next Provinciall Court & itt is granted unto them the same day is given to the plaintif also

Now here att this day to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni One thousand six hundred seventy Eight cometh as well the said plaintiffe as the said Defendts by their Attorneys aforesaid And the said Richard Ladd & Solomon [*sic*] his wife by their said Attorney say, That the said William his action aforesaid against them ought not to haue, because they say they have fully administred all the p. 762

Liber N N Goods & Chattells which were the aforesaid Joseph Horsleys att the tyme of his death, & that they have no Goods or Chattles which were of the aforesaid Joseph att the tyme of his death in their hands to be administred nor had att the day of the takeing out of the Originall writt of the said William nor ever after And this they are ready to verifie & demand judgm^{t} if the said W^{m} his action aforesaid ag^{t} them ought to haue And the said Wm Dare saith, that he by any thing before alleadged from haveing his action aforesaid ought not to be barred, because he saith, that the said Defend^{ts} att the tyme of the purchaseing of the writt aforesaid by the said plaintiffe in the action aforesaid to witt the thirteenth day of April one thousand six hundred seventy Eight had divers goods & Chattells which were of the aforesaid Joseph att the tyme of his death att Calvert County aforesaid in their hands remaining to be Administred to the value of the debt aforesaid, out of wch the said plaintiffe the debt aforesaid ought to be satisfied, & this he prayeth may be enquired of by the Countrey Which plea & replicacōn aforesaid being read & heard, the said Wm Dare by his Attorney aforesaid saith that he will make no further prosecution against the Defend^{ts} in the plea aforesaid Therefore itt is considered that the sail Wm Dare take nothing by his writt, but be in mercy for his false claime thereupon prosecuted And that the said Richard & Rosamond may goe thereof without day.

Philip Denny ag^{t} Mich^{l} Miller } Michael Miller late of Kent County gent^{l} was Sum̄oned to Answer unto Philip Denny of a plea that he render unto him one feather bed rugg pillow & bolster, two blankets two Gunns & two sowes of the Value of foure thousand pounds of tobacco which he unjustly detaines from him

And whereupon the said Philip Denny by Robert Ridgely his Attorney saith, that he the said Philip being under the age of One & twenty yeares, & haveing given & bequeathed unto him by his ffather Christopher Denny deceased the said ffeatherbed rugg pillow & bolster two blanketts two gunns & two sowes the same were in the possession of Henry Lamb deceased, which said Henry Lamb deceased departed this life the tenth day of Decemb^{r} One thousand six hundred seventy two, & Adm^{cōn} of all & singuler the Goods Chattles rights & creditts which were of the said Henry were to the said Michael com̄itted by the Judge for probate of Wills &c by vertue of which Letters of Admcōn the said Michael Miller possesses himselfe of the Estate of the said Henry, but also of the proper Goods of the said Philip before mencoñed And although the said Philip Denny the aforesaid ffeather bedd, rugg, pillow, bolster, two blan-
p. 763 ketts, two gunns And two Sowes of the said Michael hath often required and demanded & being the proper Goods of the said Philip

& of the Value of foure thousand pounds of tobacco as aforesaid Yett the aforesaid Michael hath & still doth refuse to deliver the same, but the same doth unjustly detaine, whereupon the said Philip saith he is damnified & hath losse to the Value of Six thousand pounds of tobacco, & thereupon he produceth his suite Liber N N

And the said Michael by Robert Carvile his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 cometh as well the said Plaintiffe as the said Defend^t^ by their Attorneys aforesaid And the said Michael by his said Attorney saith, that he doth not detaine the Goods in the Declaracōn mencōned to witt the feather bed rugg pillow and bolster, two blanketts & two gunns & the two Sowes in manner & forme as the said Philip hath above against him declared And of this he putts himselfe upon the Countrey And the said plaintiffe likewise. Which issue being thus joyned, the said parties by their Attorneys aforesaid referred themselves to the judgem^t^ of the Court of & upon the p^r^mises, with release of Errors each to the other of the judgem^t^ to be given thereupon And the said Michael Miller maketh Oath in open Court, that the Goods & Chattels in the declaracōn above mencōned or any of them never came to his possession Therefore itt is considered that the aforesaid Philip Denny take nothing by his writt aforesaid, but be in mercy for his false claime thereupon prosecuted And the aforesaid Michael may goe thereof without day And that the said Michael recover against the said Philip Denny the sum̃e of ffive hundred sixty eight pounds of tobacco for his costs & charges by him about his defence in this behalfe sustained, to the said Michael by the discretion of the Justices here adjudged And the said Michael may have thereof Execucōn

John Aylward ag^t^ Thomas Clarke } Thomas Clarke M^r^chant was Sum̃oned to answer unto John Aylward in a plea that he render unto him his reasonable accompt of the tyme he was Receiver of the tobacco of him the said John which to him to render he ought

And the said Thomas Clarke by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c And the said John Aylward although solemnly called came not to preferr his declaracōn & prosecute his writt ag^st^ the said Tho: Clarke Therefore itt is considered by the Court here this day to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 that the said John Aylward take nothing by his writt, but be in mercy for his false claime thereupon prose-

Liber N N cuted And the said Thomas Clarke may goe thereof without day And that the said Thomas Clarke recover against the said John Aylward the sum̃e of Eight hundred fifty fiue pounds of tobacco for his costs & charges by him about his defence in this behalfe
p. 764 sustained, to the said Thomas Clarke by the discretion of the Justices here adjudged And the said Thomas may have thereof Execucõn

Clement Hill ag^{t} George Oldfield } George Oldfield late of Cecil County otherwise called George Oldfield of Cecil County gent̃ was Sum̃oned to Answer unto Clement Hill of a plea that he render unto him the sum̃e two Thousand pounds of tobacco which to him he oweth & unjustly detaineth

And whereupon the said Clement Hill by Robert Carvile his Attorney saith, that whereas the said George Oldfield upon the twenty seventh day of May in the yeare of our Lord One thousand six hundred seventy six by his bill or certaine writing obligatory sealed with the Seale of him the said George here in Court produced whose date is the day & yeare above written, did confesse himselfe to owe & stand firmly indebted unto the said Clement in the full quantity of two Thousand pounds of good sound M^{r}chantable leafe tobacco in cask to be paid to the said Clement Hill or to his certaine Attorney his heyres Exec^{rs} Adm^{rs} or assignes conveniently in Cecil County aforesaid att or before the tenth day of October next ensueing Yet notwithstanding the said George the said Sum̃e of two thousand p̃ds of tobacco to him the said Clement though often requested thereunto hath not paid, but the same to pay & satisfie hath hitherto denyed & still doth deny & refuse to pay or satisfie the same to the dam̃age of the said Clement three thousand pounds of tobacco & thereupon he bringeth his suite

And the said George Oldfield by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678. cometh the said Clement Hill by his Attorney aforesaid & offereth himselfe against the said George Oldfield in the plea aforesaid, but the said George cometh not but maketh default Therefore itt is considered by the Court here that the said Clement Hill recover against the said George Oldfield the aforesaid Sum̃e of two thousand pounds of tobacco debt As also
pounds of tobacco cost of suite And the said George in mercy &c

John Quigley ag^{t} Marke Cordea }

Liber N N

Jacob Leisler ag^{t} the same
Margarett Hall
Ex^{x} Walter Hall ag^{t}
Garret VSweringen

The Defend^{ts} by Robert Carvile their Attorney appeare & imparle untill next Court

Marke Cordea ag^{t} John Quigley

John Quigley late of St Maryes County was Attached to answer unto Marke Cordea of a plea of trespas on the case p. 765

And whereupon the said Marke by Robert Carvile his Attorney saith, that whereas the said Marke Cordea in the yeare of our Lord One thousand six hundred seventy foure by a certaine bill obligatory had bound himselfe his Exec^{rs} & Adm^{rs} unto the said John Quigley in the Sum̄e of foure thousand five hundred ninety & seven pounds of tobacco att a certaine day then next following The said John Quigley in consideracōn that the said Marke the said sum̄e of foure thousand five hundred ninety seven pounds of tobacco would pay unto the said John Quigley, did assume upon himselfe & to the said Marke did faithfully promise that he the said John would deliver to the said Marke the said bill obligatory to be Cancelled, or otherwise the said John a certaine writeing of Release unto the said Marke would make & Seale & as his deed would deliver in full discharge of the said bill obligatory And although the said Marke in confidence of the faithfull promise & assumpcōn of the said John did pay unto the said John upon the twentieth day of November One thousand six hundred seventy foure the said Sum̄e of foure thousand five hundred ninety seven pounds of tobacco Yet notwithstanding the said John his promise & assumpcōn aforesaid little reguarding, but meaning & fraudulently intending him the said Marke in this behalfe craftily & subtily to defraud & deceive, the said bill obligatory unto the said Marke hath not delivered cancelled neither any writeing of Release unto the said Marke hath made Sealed & as his deed delivered in discharge of the said bill according to his promise & assumpcōn aforesaid, but the said bill obligatory cancelled or otherwise the writeing of Release to make Seale & as his deed deliver hath altogether refused & as yet doth refuse though often thereunto requested, whereupon he is the worse & have dam̄age to the Value of Seven thousand pounds of tobacco, & thereupon he bringeth his suite

And the said John Quigley by Robert Ridgely his Attorny cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is giuen to the plaintiffe also.

Now here att this day to witt thirteenth day of March in the

Liber N N fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq Doni 1678 cometh as well the said plaintiffe as the said Defend^{t} by their Attorneys aforesaid And the aforesaid John Quigley by his said Attorney saith, that he did not assume & promise in manner & forme as the said Marke Cordea above against him hath declared And of this he putts himselfe upon the Countrey And the plaintiffe also Therefore itt is comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to Recognize &c because as well &c Att which said thirteenth day of March in the yeare aforesaid cometh the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise come to witt John Addison, Emanuel Ratcliffe, Tho: Potter, John Watson, Charles Hea, Joseph Edloe, Wm Vaughan, Thomas Courtney, Henry Smith, Christopher Benbridge, John Portwood & Tho: Keyting who being elected tryed & sworne to say the truth [in
p. 766 the] p^{r}misses Upon their Oaths doe say that the said John Quigley did not assume and promise in manner & forme as the said Marke Cordea aboue against him hath declared Therefore itt is granted by the Court here that the said Marke Cordea take nothing by his writt, but be in mercy for his false claime thereupon prosecuted And the said John Quigley may goe thereof without day &c And that the said John Quigley recover against the said Marke Cordea the sum̃e of Eight hundred ninety seven pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out and expended, to the said John Quigley by the discretion of the Justices here adjudged And the said John Quigley may have thereof Execucõn.

Mary Warde Exec^{x} Matthew Warde ag^{t} John Quigley	
Garret VSweringen Adm^{r} Jno Deery ag^{t} the same	
the same ag^{t} the same	
Tho: Sprigg ag^{t} Edward Man	
Wm Ninfinger ag^{t} Samuell Maddox	These tenn actions are continued untill next Court
Clement Hill ag^{t} James Ringold	

Liber N N

Robert Carvile
ag^t
Wm Russell
Cornelius Howard
ag^t
John Howard Ex^r
Wm Carpenter
Edward Dorsey
& ux
ag^t
Tho: Bland & ux
Garret VSweringen
ag^t
John Quigley

John & Thomas Dudlestone
ag^t
Tho: Tasker & ux
Ex^x John Brooke

Thomas Tasker late of Calvert County & Rebeccah his wife Ex^x of John Brooke late of Calvert County deceased were Attached to Answer unto John & Thomas Dudleston of a plea of trespasse upon the case

p. 767

And whereupon the said John & Thomas Dudlestone by Charles Boteler their Attorney complaine, that whereas the said John Brooke in his life tyme Viz^t upon the thirteenth day of October in the yeare of our Lord One thousand six hundred seventy foure in consideracōn of severall Goods & M^rchandizes of them the said John & Thomas Dudlestone in hand received amounting in the whole to the Sum̃e of ffive hundred thirty & eight pounds three shillings & tenn pence ster̃l as by the Invoyce thereof here in Court produced appeareth, the said John Brooke did assume upon himselfe and to the said John & Thomas Dudlestone did faithfully promise that he the said John Brooke when thereunto required would accompt with the said John & Thomas Dudlestone for the said Goods and the produce thereof, & would pay unto them what Sum̃e or Sum̃es of tobacco soever he should produce or make of the Same And the said John & Thomas in fact say, that trusting to the faithfull promise and assumpcōn of him the said John Brooke made as aforesaid did deliver unto him the said John Brooke as ffactor of them the said John & Thomas Dudlestone a Cargo of Goods amounting in the whole to the sum̃e of ffive hundred thirty Eight pounds sterling three shillings & tenn pence to be Sould disposed & accompted for unto the said John & Thomas Dudlestone as aforesaid Notwithstanding which the said John Brooke his said promise and assumpcōn not reguarding hath not accompted unto them for the said Goods, nor hath not paid unto them for the produce of the same any more then the Sum̃e of foure hundred Sixty and three pounds three shillings & tenn pence sterling in part of the aforesaid

Liber N N Sum̃e of five hundred thirty eight pounds three shillings and tenn pence sterling, Soe that there remaines due to ballance from the said John Brooke to the said John & Thomas Dudlestone the Sum̃e of Seventy fiue pounds sterling & two thousand three hundred fifty & eight pounds of tobacco Yet the said John Brooke in his life nor the said Rebecca since his death to whom Admcõn of all & singuler the Goods Chattells rights & creditts of the said John att the tyme of his death were com̃itted while she was sole, nor the said Thomas & Rebeccah since Espousalls between them celebrated the said Sum̃e of Seventy fiue pounds sterling & two thousand three hundred fifty eight pounds of tobacco to the said John & Thomas haue not paid nor satisfied, but the same to them hitherto to pay haue denyed & still doe deny, whereupon the said John & Thomas say they are damnified & haue losse to the Value of twenty thousand pounds of tobacco & thereupon they bring their suite

And the said Thomas & Rebeccah by Robert Ridgely their Attorney come & defend the force & injury when &c and pray liberty to imparle hereunto untill next Provinciall Court & itt is granted unto them, the same day is given to the plaintiffes also

p. 768 Now here att this day to witt the Thirteenth day of March In the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1678. cometh the said parties by their Attorneys aforesaid And The said John & Thomas Dudlestone by their said Attorney say that they will make no further prosecution ag^t^ the said Thomas & Rebecca in the plea aforesaid Therefore itt is considered that the said John & Thomas Dudlestone take nothing by their writt but be in mercy for their false claime thereupon prosecuted And that the said Thomas & Rebeccah goe thereof without day And that the said Thomas & Rebeccah recover against the said John & Thomas Dudlestone the sum̃e of Seven hundred sixty nine pounds of tobacco for their costs & charges by them about their defence in this behalfe laid out & expended, to the said Thomas & Rebeccah by the discretion of the Justices here adjudged And that the said Thomas and Rebeccah may haue thereof Execucõn.

Kenelm Cheseldyn Ex^r^ John Jones ag^t^ John Quigley } John Quigley late of St Maryes County otherwise called John Quigley of the City of St Maryes in the Province of Maryland gent^l^ was Sum̃oned to Answer unto Kenelm Cheseldyn Exec^r^ of the last Will & testament of John Jones deceased in a plea that he render unto him the sum̃e of twelve hundred pounds of tobacco which from him he unjustly detaineth

And whereupon the said Kenelm in his proper person saith that whereas the said John Quigley the first day of June in the yeare of our Lord One thousand six hundred seventy six by his certaine

writeing obligatory Sealed with the Seale of the said John here in Court produced whose date is the same day & yeare above written, acknowledge himselfe to owe & stand justly indebted unto the said John Jones in his life tyme of the said City of St Marys gent^{l} the full & just sum̃e of twelve hundred pounds of good sound M^{r}chantable leafe tobacco & cask, to be paid to the said John Jones his Exec^{rs} Adm^{rs} or assignes convenient for shipping in St Maryes County in the said Province att or before the tenth day of Octob^{r} next ensueing To the which payment well & truely to be made he did binde himselfe his heyres Exec^{rs} & Adm^{rs} firmly by these p^{r}sents Notwithstanding which the said John Quigley the said Sum̃e of twelve hundred pounds of tobacco according to the tenour of his said writeing obligatory to him the said John Jones in his life tyme hath not paid nor to the said Kenelm since his death Exec^{r} of the last Will & testm^{t} of him the said John though often thereunto required, but the same to him to pay hitherto hath & still doth deny to pay to the dam̃age of the said Kenelm three thousand pounds of tobacco & thereupon he bringeth his suite And the said Kenelm bringeth here in Court the Letters testamentory of the said John that itt may appeare to the Court here that he is Exec^{r} of the said John of the testam^{t} aforesaid & thereupon to haue Admcōn Liber N N

And the said John Quigley by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court, & itt is granted unto him, the same day is giuen to the plaintiffe also.

Att which said next Provinciall Court to witt the Eighth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 came the said parties by their Attorneys aforesaid And the said John Quigley by his said Attorney saith, that the said Kenelm ought not to haue his action aforesaid against him, because he saith, that he the said John Quigley the day of 167 after the date of the same bill obligatory in the life tyme of the said testator & att the speciall instance & request of the said Testator, the said twelve hundred pounds of tobacco to the Honble Wm Calvert Esqr Secretary of this Province for the accompt and proper debt of the said Testator did pay & satisfy, & this he is ready to averr, whereupon he prayes Judgem^{t} if the aforesaid plaintife his action aforesaid against him ought to haue, whereupon day is further given to both parties untill next Provinciall Court p. 769

Now here att this day to witt the Thirteenth day of March in the fourth yeare of his said Lordpps Dominion Annoq̃ Doni 1678. cometh as well the said plaintiffe as the said Defend^{t} by their Attorneys aforesaid, & the said John by his said Attorney relinquisheth his plea aforesaid, & saith that he cannot gainsay the said action of the said Kenelm, for that he hath not paid to the said John Jones in

Liber N N his life tyme nor to the said Kenelm Exec^{r} as aforesaid the said sum̃e of twelve hundred pounds of tobacco according to the tenour of the aforesaid writeing Obligatory Therefore itt is considered by the Court here that the said Kenelm Cheseldyn Exec^{r} as aforesaid recover against the said John Quigley as well the aforesaid sum̃e of twelve hundred pounds of tobacco debt As also without~~~~ pounds of tobacco costs of suite And the Defend^{t} in mercy &c

Kenelm Cheseldyn Ex^{r} John Jones ag^{t} Marke Cordea } Marke Cordea late of St Maryes County otherwise called Marke Cordea of St Maryes County gent^{l} was Sum̃oned to Answer unto Kenelm Cheseldyn Exec^{r} of the last Will & testam^{t} of John Jones deceased in a plea that he rend^{r} unto him the sume of One thousand pounds of tobacco which from him he unjustly detaineth

And whereupon the said Kenelm in his proper person saith, that whereas the said Marke Cordea the twenty fifth day of May in the yeare of our Lord One thousand six hundred seventy seven did by his certaine writeing obligatory sealed with the Seale of the said Marke here in Court produced whose date is the same day & yeare above written, acknowledge himselfe holden & firmly bounden unto the said John Jones in his life tyme of St Maryes gent^{l} in the full & just Sum̃e of One thousand pounds of good sound M^{r}chantable tobacco in cask to be paid unto the said John Jones his Ex^{rs} Adm^{rs} or assignes convenient for shipping in the said County att or upon the tenth day of October next ensueing, to which payment well & truely to be made he did binde himselfe his heyres Exec^{rs} & Adm^{rs} firmly by those p^{r}sents Notwithstanding which the said Marke Cordea the said Sum̃e of One thousand pounds of tobacco to him the said John Jones according to the tenour of his said writeing obligatory hath not paid to the said John Jones in his Life tyme nor to the said Kenelm Cheseldyn since his death Ex^{r} of the last Will & testam^{t} of the said John though often thereunto required, but the same to him to pay hitherto hath & still doth deny to pay to the dam̃age of the said Kenelm the sum̃e of two twousand pounds of tobacco & thereupon he bringeth his suite And the said Kenelm bringeth here in Court the Letters testamentory of the said John that it may appeare to the Court here that he is Exec^{r} of the said John of the testam^{t} aforesaid, and thereupon to have Administracōn

p. 770

And the aforesaid Marke Cordea by Robert Ridgely his Attorny cometh & defendeth the force & injury when &c And prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is giuen to the plaintiffe also

Att which said next Provinciall Court cometh the said parties by their Attorneys aforesaid And the said Marke by his said Attorney saith, that he unto the declaracōn of the said Kenelm as Exec^{r} of

the said John Jones deceased ought not to Answer, because he saith, that by a certaine Act of Assembly of this Province made & Enacted att an Assembly held att the City of St Maryes the fifteenth day of May One thousand six hundred Seventy six itt was amongst other things Enacted & ordained, that from & after the publicacõn thereof no action for a booke debt or upon a plaine bill for or under the sume of fifteen hundred pounds of tobacco & cask should from thenceforth be cõmenced or Prosecuted against any Inhabitant of this Province in the Provinciall Court as by the same Act relation being thereunto had more fully & more att large itt doth & may appeare And the said Marke saith that the said Act of Assembly is still in force in this Province And that the said supposed debt of one thousand pounds of tobacco sued for by the said plaintiffe as Exec^r^ aforesaid is upon a plaine bill & within the compas of the same Act, & this he is ready to averr, whereupon he prayes Judgem^t^ if the Court here will or ought any further to hold or Justifie the said plaint of the said plaintiffe as Ex^r^ as aforesaid upon the said plaine bill for One thousand pounds of tobacco ag^t^ the said Marke Cordea Whereupon day is further giuen unto both parties untill next Provinciall Court. Liber N N

Now here att this day to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1678 cometh as well the said plaintiffe as the said Defend^t^ by their Attorneys aforesaid And the said Marke Cordea by his said Attorney relinquisheth his plea aforesaid & saith that he cannot gainsay the said action of the said Kenelm, for that he hath not paid to the said John Jones in his life tyme nor to the said Kenelm Ex^r^ as aforesaid the said Sume of One thousand pounds of tobacco according to the tenour of the aforesaid bill & in discharge thereof Therefore itt is considered that the said Kenelm Cheseldyn Exec^r^ as aforesaid recover against the said Marke Cordea the aforesaid sume of one thousand pounds of tobacco debt As also without~~~~ pound of tobacco costs of suite And the defend^t^ in mercy

Cuninghams Ex^rs^ ag^t^ Tho: Bennet } Thomas Bennet of St Maryes County otherwise called Tho: Bennet of Westons Creek in the County of St Maryes in the Province of Maryland was Sumoned to Answer unto Thomas Carlisle John Watson, Wm Hatton & Robert Graham Exec^rs^ of the last Will & Testament of John Cuningham deceased in a plea that he render unto them the Sume of thirty pounds of good & lawfull money of England which from them he unjustly detaineth p. 771

And whereupon the said Thomas Carlisle, John Watson Wm Hatton & Robert Graham by Kenelm Cheseldyn their Attorney saith, that whereas the said Thomas Bennet the second day of November in the yeare of our Lord One thousand six hundred Seventy five

Liber N N did by his certaine writeing obligatory Sealed with the Seale of the said Thomas here in Court produced whose date is the day & yeare above written did binde himselfe in the penall Sum̃e of Thirty pounds to pay or cause to be well & truely paid unto Samuell Leadbeater or John Cuningham or either of them the full & just quantity of foure thousand two hundred Sixty nine pounds of good & lawfull sound M^r^chantable tobacco att or before the fourth day of December next ensueing the date thereof, of which said tobacco he did also further promise & ingage to deliver safely on board the Ann & Elizabeth of Liverpoole att or before the tyme aforesaid without any manner of Charge whatsoever And also att the same tyme & place aforesaid he did oblige himselfe to pay the sum̃e of One hundred forty-foure pounds of lawfull & good tobacco, both which Sum̃es in the whole amount to the Sum̃e of foure thousand foure hundred & thirteen pounds of tobacco Notwithstanding which the said Tho: Bennet the said Sum̃e of foure thousand foure hundred & thirteen pounds of tobacco to him the said Samuel Leadbeater hath not paid nor to the said John Cuningham in his life tyme though often there unto required according to the tenour of his said writeing obligatory nor to the said Thomas Carlisle John Watson Wm Hatton & Robert Graham Exec^rs^ of the last Will & testam^t^ of the said John Cuningham though often thereunto required Whereby action hath accrued to them the said Thomas, John, W^m^ & Robert to haue & demand of the said Thomas Bennet the Sum̃e of Thirty pounds sterling aforesaid Notwithstanding which the said Thomas the said sum̃e of thirty pounds sterling aforesaid hath not paid according to the tenour of his said bill to them the said Thomas, John, W^m^ & Robert though often thereunto required, but the same to them to pay hitherto hath & still doth deny to pay to the dam̃age of them the said Thomas John W^m^ & Robert seven thousand pounds of tobacco & thereupon they bring their suite

And the said Thomas Bennet by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the p^tts^ also

Now here att this day to witt the Eighth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 cometh as well the said plantiffes as the said Defend^t^ by their Attorneys aforesaid And the said Thomas Bennet by his said Attorney saith, that as to three thousand six hundred Seventy eight pounds of tobacco part of the debt in the above declaracōn mencōned he hath allready satisfied & paid And as to Seven hundred thirty five pounds of tobacco residue of the debt aforesaid he cannot gainsay for that the same remaines due upon the writeing obligatory
p. 772 aforesaid Therefore itt is considered that the Said Thomas Carlisle

John Watson Wm Hatton & Robert Graham Execrs as aforesaid recover against the said Thomas Bennett the aforesaid Sume of Seven hundred thirty five pounds of tobacco residue of the debt aforesaid As also Six hundred fifty three pounds of tobacco costs of suite And the Defendt in mercy &c And likewise the aforesaid plaintiffes in mercy for their false clamour against the said Defendt for part of the debt aforesaid whereof he is acquitted And the said Defendt may goe thereof without day &c Liber N N

Robert Carvile agt John Quigley } This action is continued by consent of the pltt & the Attorney for the Defendt untill next Court.

Richard Royston agt Symon Irons } Symon Irons otherwise called Symon Irons of the County of Nansimum in Virginia was Summoned to Answer unto Richard Royston of a plea that he render unto him One hundred & forty thousand pounds of tobacco which to him he oweth & unjustly detaineth

And the said Symon Irons by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c And the said Richard Royston although solemnly called came not to preferr his declaracon & prosecute his writt against the said Symon Irons Therefore itt is considered by the Court here this day to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq Doni 1678. that the said Richard Royston take nothing by his writt but be in mercy for his false clamour And that the said Symon Irons recover against the said Richard Royston the Sume of Seven hundred ninety nine pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said Symon Irons may have thereof Execucon

Henry Hooper agt Tho: Snell Admr Jno Cornish } Thomas Snell late of Talbot County Admr of the Goods and Chattells of John Cornish deceased was Attached to Answer unto Henry Hooper of a plea of trespas of the case

And thereupon the said Henry by Robert Carvile his Attorney saith, that whereas upon the Sixteenth day of September in the yeare of our Lord One thousand six hundred seventy seven a certaine conference was had between the said Henry Hooper & the said John Cornish touching a certaine boy Servant named to be by the said Henry of the said John bought, which said John Cornish did then affirme to the said Henry Hooper that the aforesaid boy Servant was the Servant of him the said John & by him imported into this Province And that the said

Liber N N boy Servant had no Indentures but was to serve according to the Custome of the Countrey according to the Act in that case made & provided And the said Henry giveing creditt by the Informacōn of the said John Cornish he did buy of the said John the said boy Servant for the Sum̃e of fifteen hundred pounds of tobacco by him sufficiently secured to be paid And the said John Cornish by his writeing under his hand bearing date the day & yeare abovesaid & here ready to be produced did bargaine & Sell unto the said Henry the said boy Servant & did warrant the sale of him for the Custome
p. 773 of the Countrey Or otherwise the said John did promise to take his said boy servant againe, & to returne back the bill past by the said Henry for the said ffifteen hundred pounds of tobacco And the said Henry in fact saith, that he did upon that account & no other receive the said Servant And that afterwards he carryed the said boy Servant being about fourteen yeares of age to the Court of Dorchister County to be judged And the said Servant did then make itt appeare to the Court that the said Servant had an Indenture & was to serve but foure yeares, whereby the said Henry upon the bargaine & Sale & warranty aforesaid was very much deceived & defrauded & ought to haue restitucōn for his bill past for the said ffifteene hundred pounds of tobacco Yet notwithstanding the said John his promise aforesaid little reguarding but deviseing & fraudulently intending him the said Henry in this case craftily & subtily To defraud & deceive he the said John in his life tyme nor the said Thomas since his death though often thereunto requested have not only denyed to take the said Servant againe & deliver back the said bill past by the said Henry, but the said Thomas hath caused the said Henry to be sued upon the same, to the dam̃age of the said Henry three thousand pounds of tobacco & thereupon he bringeth his suite

And the said Thomas Snell by Wm Crosse his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is giuen to the p^{lt} also

Now here att this day to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 cometh the said Henry Hooper by his Attorny aforesaid, And offereth himselfe against the said Thomas Snell in the plea aforesaid, but the said Thomas cometh not but maketh default, therefore itt is considered by the Court here, that the said Henry Hooper recover against the said Thomas Snell Adm^{r} as aforesaid his dam̃ages sustained by occasion of the p^{r}misses, but because itt is not known to the Court here what damages the said Henry hath sustained in this behalfe Therefore itt is Ordered that a writt of Inquiry of dam̃ages issue returnable att the next Provinciall Court

Richard Mitchell ag^t Charles Hea } Charles Hea late of Charles County otherwise called Charles Hea of Charles County in the Province of Maryland was Sumoned to Answer unto Richard Mitchell M^rchant of a plea that he render unto him twenty thousand pounds of tobacco which to him he oweth & unjustly detaineth Liber N N

And whereupon the said Richard by Robert Carvile his Attorney complaineth, that whereas the said Charles upon the fourth day of May in the yeare of our Lord One thousand six hundred seventy seven by his certaine bill or writeing obligatory sealed with the Seale of him the said Charles & here in Court produced whose date is the day & yeare abovesaid, did confesse and acknowledge to haue received of the said Richard Mitchell M^rchant of Plymouth in bills & accompts amounting to Eleaven thousand twenty & fiue pounds of tobacco And also in Goods to the Value of twelve pounds Eighteen shillings & fiue pence sterling Money, for the which account & bills p. 774 & Goods he did binde himselfe his heyres Exec^rs & Adm^rs in twenty thousand pounds of tobacco to giue unto the said Mitchell or his lawfull Attorney a just accompt of the abovesaid accounts bills & Goods Yet notwithstanding the said Charles a true & just accompt of & for the said accompts bills & Goods to him the said Richard though often thereunto requested hath not given or rendred but the same to giue & render hath hitherto denyed & refused & still doth deny & refuse By which action is accrued to this Def^t to have & require of the said Charles Hea the said Sum̃e of twenty thousand pounds of tobacco, & thereupon he bringeth his suite.

And the said Charles Hea by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is giuen to the plaintiffe also

Now here att this day to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 cometh as well the said plaintiffe as the said Defend^t by their Attorneys aforesaid And the said Defend^t by his said Attorney saith, that the said Richard Mitchell his action aforesaid upon the writeing aforesaid ought not to haue, for that he saith that after the Sealing & delivery of the writeing aforesaid by him the said Charles to him the said Richard the said Richard departed this Province for England, not giueing notice to him the said Charles where to finde him, nor to whom in this Province or elsewhere to render an accompt, nor was an accompt of the same ever demanded of him the said Charles according to the tenour of the said writeing, without which itt was impossible for the said Charles to accompt, the which he allwayes was & still is ready to doe, & this he is ready to averr, & craves judgem^t whither the said Richard his action aforesaid ought to have Which being read & heard itt is

Liber N N considered by the Court here that Auditors be appointed to audite & state the accompts between the said Richard Mitchel & Charles Hea And doe hereby order & appoint Garret VanSweringen & John Baker Auditors to Audite & state the same, & to make report thereof att the next Provinciall Court

James Rigby Exec^{r} Wm Drury ag^{t} Hugh Merrykin } Hugh Merrykin late of Ann Arundell County in the Province of Maryland Boatwright was Attached to Answer unto James Rigby Exec^{r} of the last Will & testam^{t} of Wm Drury deceased in a plea of trespasse upon the case

And whereupon the said by Christopher Rousby his Attorney complaineth, that whereas the said James by Vertue of the said Executorship was the fourth day of August One thousand six hundred seventy eight possessed of certaine Cattle & Chattles to witt three horses, two mares with foales, three Colts, five Cowes wth Calves, two other Cowes, two steers, two bulls, fiue heifers, eight sowes with piggs & Seven barrowes of the price of nineteene thousand nine hundred & fifty pounds of tobacco as of his proper Cattle & Chattles, And so thereof being possessed afterwards to witt the tenth day of August in the yeare abovesaid the same Cattle & Chattels out of his hands & possession had casually lost, which Cattle & Chattles afterwards that is to say the said tenth day of August One thousand six hundred seuenty Eight to the hands & possession of the said Hugh Merrykin by findeing came Notwithstanding the said Hugh well
p. 775 Knowing the said Cattle & Chattells to be the proper Cattle & Chattells of him the said James & to him by Vertue of the said Executorship of right to belong & pertaine, & meaning him the said James in that behalfe craftily to deceive & defraud, the Cattle & Chattles aforesaid to the said James hath not delivered although thereunto often required, but the said Hugh afterwards to witt the twenty third day of September in the yeare aforesaid in Ann Arundell County aforesaid the same Cattle & Chattells to the proper use and benifitt of him the said Hugh did convert & dispose in hinderance of the Execucõn of the last Will & testam^{t} aforesaid, to the damage of the said James thirty thousand pounds of tobacco & thereof he bringeth his suite And he bringeth here in Court the Letters testamentory of the said W^{m} whereby itt may appeare to the Court here that he the said James is Executo^{r} as aforesaid & right hath of Administracõn &c

And the said Hugh by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the p^{lt} also

Now here att this day to witt the fourteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq^{3} Doni 1678 cometh as well the said p^{lt} as the said Defend^{t} by their

Attorneys aforesaid And the said Hugh by his said Attorney saith, that he is not guilty of the trover & Conversion in manner & forme as the said James hath above declared against him, & of this he putts himselfe upon the Countrey And the said James likewise Therefore itt is Comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to Recognize &c because as well &c Att which said fourteenth day of March in the yeare aforesaid cometh as well the said plaintiffe as the said Defend^{t} by their Attorneys aforesaid And the jurors impannelled being called likewise come to witt Gilbert Turbervile, Leonard Green, Stephen Murty, Wm Thomas, Wm Watson, Thomas Jones, John Glover, Robert Bryan, George Godfrey, Theophilus Turford, Edward Turner & Dauid Driver who being Elected tryed & sworne to say the truth in the p^{r}misses upon their Oaths doe say that the said Hugh Merrykin is guilty of the trover & Conversion in manner & forme as the said James hath above declared against him Therefore itt is considered that the said James Rigby Exec^{r} as aforesaid recover against the said Hugh Merrykin his damages sustained by occasion of the premisses But because itt is not known to the Court here what damages the aforesaid James Rigby Executo^{r} of the last Will and Testament of the aforesaid William Drury hath sustained by occasion thereof Itt is ordered that a writt of Inquiry of damages issue returnable att the next Provinc^{ll} Court Liber N N

Henry Darnall ag^{t} John Anderson } Unlesse the Defend^{t} appeare next Provinciall Court, the Sheriffe of Som^{r}sett County amerced.

Costs allowed Wittnesses p. 776

Allowed to Robert Blinkhorne of Calvert County for comeing going & attendance to testifie for Roger Baker ag^{t} Margaret Gittings Ex^{x} of John Gittings in all fourteen dayes att thirty pounds of tobacco p diem foure hundred & twenty pounds of tobacco

Allowed to Wm Smith of Calvert County for comeing going and attendance to testifie for Henry Mitchell att the suite of John Markes in all Eighteen dayes att thirty pounds of tobacco p day ffiue hundred & forty pounds of tobacco

Allowed to John Bird of Ann Arundell County for comeing going & attendance to testifie for Thomas Bland against Robert Proctor in all Seventeen dayes att thirty pounds of tobacco p day ffiue hundred & tenn pounds of tobacco

Allowed to James Morris of St Maryes County for comeing goeing & attendance to testifie for Thomas Carvile Adm^{r} of Robert

Liber N N Hunt att the suite of Joshua Guibert in all Seventeen dayes att thirty pounds of tobacco p day, ffive hundred & tenn pounds of tobacco

John Sanders ag^{t} Tho: Helgar } The Sheriffe of Charles County haueing returned a Cepi Corpus in this cause Itt is ordered by the Court here (upon the mocōn of Christopher Rousby Attorney for the plaintiffe) that Wm Chandler Sheriffe of the County aforesaid doe keep the said Tho: Helgar in safe custody untill he shall putt in speciall baile to Answer the action of the said John Sanders & abide judgem^{t}

Gerard Slye ag^{t} Tho: Helgar } The Sheriffe of Charles County haueing returned a Cepi Corpus in this cause Itt is ordered by the Court here (upon the mocōn of Christopher Rousby Attorney for the plaintiffe) that Wm Chandler Sheriffe of the County aforesaid doe keep the said Tho: Helgar in safe Custody untill he shall putt in speciall baile to answer the action of the said Gerard Slye & abide judgem^{t}

Philip Pocock ag^{t} Tho: Smith
John Maurice ag^{t} Tho: Wilson
Wm Bradford ag^{t} Peter Sayer
Marke Cordea ag^{t} John Blomfield
John Baker ag^{t} Mich^{l} Miller
} These fiue actions are continued untill next Provinciall Court

p. 777 Prop^{ry} ag^{t} Mary Warde Exec^{x} Matthew Warde } Memorandum that att a Provinciall Court held the Eighth day of October in the third yeare of the Dominion of Charles &c and in the yeare of our Lord One thousand six hundred seventy eight here p^{r}sent in Court Kenelm Cheseldyn Attorney Gen^{ll} of the said Lord Prop^{ry} who in this behalfe for the said Lord Prop^{ry} followeth & exhibitteth his certain Informacōn of debt against Mary Ward[e] Exec^{x} of the last Will & testam^{t} of Matthew Warde deceased thereby giueing the Court to understand & be informed That whereas the said Matthew Warde in his life tyme to witt the ffourteenth day of ffebruary in the yeare One thousand six

hundred Seventy three did by his certaine writeing obligatory Sealed with the Seale of the said Matthew here in Court produced whose date is the same day & yeare abovesaid, did binde himselfe his heyres Exec^{rs} Adm^{rs} to pay or cause to be paid unto his Excellency Charles Calvert Esqr Capt Gen^{ll} of Maryland now Lord & Prop^{ry} of the Province aforesaid his certaine Attorney Ex^{rs} Adm^{rs} or assignes the just Sum̃e of One thousand pounds of tobacco sound & M^{r}chantable in cask in some convenient place in Talbot County in & upon the tenth day of Octob^{r} next Notwithstanding which the said Matthew Warde in his life tyme the same hath not paid according to the tenour of his writeing obligatory to the said Charles Calvert Esqr Capt Gen^{ll} as aforesaid now Lord Prop^{ry} of the Province of Maryland aforesaid, nor the said Mary since his death Exec^{x} of the last Will & testam^{t} of the said Matthew to the damage of the said Lord Prop^{ry} the sum̃e of three thousand pounds of tobacco Whereupon the said Kenelm Attorney Gen^{ll} as aforesaid craveth advice in the p^{r}misses, and that the said Mary may come here into Court & answer in and upon the same Liber N N

And the said Mary Warde by Robert Carvile her Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto her, the same day is giuen to the plaintiff also

Now here att this day to witt the twelfth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c. Annoq̃ Doni 1678 cometh ~~as well~~ the said Kenelm Cheseldyn Attorney Gen^{ll} and offereth himselfe against the said Mary Warde in the plea aforesaid, but the said Mary came not but made default Therefore itt is considered by the Court here that the said Lord Prop^{ry} recover against the Estate of the said Matthew Warde as well the aforesaid Sum̃e of One thousand pounds of tobacco debt As also ffive hundred Sixty pounds of tobacco costs of suite And the Defend^{t} in mercy &c

John Hartwell ag^{t} Tho: Keyting } Thomas Keyting late of St Maryes County otherwise called Thomas Keyting of St Maryes County planter was Sum̃oned to Answer unto John Hartwell in a plea that he render unto him the sum̃e of Nine thousand five hundred pounds of tobacco which to him he oweth & unjustly detaineth

And whereupon the said John by Kenelm Cheseldyn his Attorney saith, that whereas the said Thomas Keyting the Seventeenth day of May in the yeare of our Lord One thousand six hundred seventy seven Did by his certaine writeing obligatory Sealed with the Seale p. 778
of the said Thomas here in Court produced whose date is the same day & yeare abovesaid, acknowledge himselfe holden & firmly bound unto John Hartwell of Charles County in the Province aforesaid M^{r}chant Taylor to his certaine Attorney his heyres Exec^{rs} Adm^{rs} &

Liber N N assignes in the full & just Sum̃e of nine thousand five hundred pounds of good sound M^r^chantable leafe tobacco in caske to be paid att or upon the tenth day of October next ensueing the date thereof upon his then dwelling plantacōn in the County aforesaid, itt being due for a Valuable consideracōn by him allready received, for which payment well & truely to be made he did binde himselfe his heyres Exec^rs^ Adm^rs^ firmly by those p^r^sents Notwithstanding which the said sum̃e of Nine thousand five Hundred pounds of tobacco to him the said John hath not paid according to the tenour of the said writeing obligatory though often thereunto required, but the same to him to pay hitherto hath & still denyes to pay to the dam̃age of the said John Hartwell the sume of twelve thousand pounds of tobacco, & thereupon he bringeth his suite

And the said Thomas Keyting by Robert Carvile his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is giuen to the plaintiffe also

Now here att this day to witt the fourtenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 cometh the said John Hartwell by his Attorney aforesaid & offereth himselfe against the said Thomas Keyting in the plea aforesaid but the said Thomas cometh not but maketh default. Therefore itt is considered by the Court here, that the said John Hartwell recover against the said Thomas Keyting the aforesaid Sum̃e of Nine thousand five hundred pounds of tobacco debt As also Eight hundred & ninety pounds of tobacco costs of suite And the Defend^t^ in mercy &c

Benjamin Rozer Esqr ag^t^ George Thompson } Memorandum this day Viz^t^ the Sixteenth day of October in the yeare of our Lord One thousand six hundred Seventy Eight came here in Court Benjamin Rozer of Charles County Merchant, & exhibitteth his certaine bill of complaint against George Thompson one of the Attorneys of this Court here p^r^sent in Court otherwise called George Thompson of s^t^ Maryes County in the Province gent^l^ of a plea that he render unto him the full & entire quantity of six thousand one hundred Eighty nine pounds of good sound M^r^chantable leafe tobacco in cask which to him he oweth & unjustly detaineth

And whereupon the said Benjamin Rozer by Christopher Rousby his Attorney saith, that whereas the said George Thompson, upon the ffifteenth day of June Anno Doni One thousand six hundred Seventy eight by his certaine bill or writing obligatory sealed with the Seale of him the said George & here in Court produced whose date is the day & yeare aforesaid, did owe & stand justly indebted unto Benjamin Rozer of Charles County M^r^chant in the full & entire

quantity of Six thousand One hundred Eighty nine pounds of good sound M^r^chnatable leafe tobacco in cask to be paid to the said Benjamin Rozer his heyres Exec^rs^ Adm^rs^ or assignes in some convenient place in Charles County att or before the tenth day of Octob^r^ next ensueing the date of the same bill. To the which paym^t^ well & truely to be Made the said George did binde himselfe his heyres Ex^rs^ & Adm^rs^ firmly by those p^r^sents Notwithstanding which the said George Thompson though often thereunto required the said six thousand one hundred Eighty nine pounds of tobacco according to the tenour forme & effect of the same bill hath not paid nor satisfied, but the same to pay hitherto hath denyed & still doth deny, whereupon the said Benjamin saith he is damnified & hath losse to the Value of tenn thousand pounds of tobacco & thereupon he bringeth his suite

Liber N N

p. 779

And the said George Thompson in his proper person cometh & defendeth the force & injury when &c and saith that he cannot gainsay the said action of the said Benjamin, for that he hath not paid to the said Benjamin the said sum̃e of Six thousand One hundred Eighty nine pounds of tobacco in discharge of the said recited bill or writeing obligatory, which to him he ought to haue paid according to the forme & effect of the aforesaid bill Therefore itt is considered this day to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoꝫ Doni 1678 that the said Benjamin Rozer recover against the said Geo: Thompson the aforesaid Sum̃e of six thousand one hundred eighty nine pounds of tobacco debt As also pounds of tobacco costs of suite And the Defend^t^ in mercy &c^a^

George Lewen ag^t^ Ja: Derumple & ux Exec^x^ Clemens } James Derumple late of Talbot County planter & Mary his wife Exec^x^ of last Will & testam^t^ of John Clemens deceased were Sum̃oned to Answer unto George Lewen of Poole M^r^chant in a plea that they render unto him ffive thousand weight of Arronocoa tobacco which from him they unjustly detaine

And whereupon the said George Lewen by William Crosse his Attorney saith, that whereas the said John Clemens the Eighth day of September one thousand six hundred seventy two by his certaine bill obligatory Sealed with the Seale of him the said John Clemens here in Court produced whose date is the day & yeare aforesaid, did acknowledge himselfe indebted unto the said George Lewen ffive thousand weight of Arranocoa tobacco of the brightest in cask, which said five thousand of bright tobacco he did thereby oblige himselfe his heyres Exec^rs^ Adm^rs^ & assignes firmly by those p^r^sents to pay unto the said George Lewen or his assignes within twenty dayes after the arrivall of the Sea-Flower att this Province whither the said Shipp was then bound Yet notwithstanding the said John

Liber N N Clemens in his life tyme, nor the said Mary Exec^{x} of the last Will and testam^{t} of the said John since the death of the said John nor while she was sole, nor the said James & Mary since their intermarriage according to the tenour of the said bill have not paid though thereunto required, but the same to pay the said James & Mary have denyed & yet doe deny, whereupon the said George Lewen saith he is damnified & hath losse to the Value of tenn Thousand pounds of tobacco & thereupon he bringeth his suite

And the said James & Mary by Christopher Rousby their Attorney come & defend the force & injury when &c & pray liberty to
p. 780 imparle hereunto untill next Provinciall Court And itt is granted unto them, the same day is giuen to the plaintiffe also

Att which said next Provinciall Court cometh the said parties by their Attorneys aforesaid And the said James & Mary by their said Attorney say, that he the said George his action aforesaid against them ought not to haue, because they say that the said plaintiffe in his declaracōn above written doth sett forth, that John Clements by his writing obligatory dated the Eighth day of September One thousande six hundred Seventy two did acknowledge himselfe indebted to the said George Lewen five thousand weight of Arranocoa tobacco, which said five thousand weight of bright tobacco he did thereby oblige himselfe his heyres Exec^{rs} Adm^{rs} & assignes firmly by these p^{r}sents to pay unto the said Geo: Lewen or his assignes within twenty dayes after the arrival of the Seafflower att this Province whether the said Shipp was then bound, but doth not averr that the said Shipp Seafflower did after the Eight of Septemb^{r} one thousand six hundred seventy two aforesaid everr arrive att this Province, & when And if she never did arrive since in this Province Or if the said Shipp did arrive in this Province so that itt was not twenty dayes before the issueing forth the originall writt of this suite In either of the cases aforesaid no action doth accrue to the plaintiffe Whereupon the said James & Mary pray judgm^{t} if the said George to his declaracoñ aforesaid against them ought to be Answered Which being read & heard day is given unto both parties untill next Provinciall Court

Now here att this day to witt the fourteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1678 come the said James & Mary by their Attorney aforesaid And the said George Lewen although solemnly called cometh not to prosecute his writt against the said James & Mary in the plea aforesaid Therefore it is considered that the said George Lewen take nothing by his writt, but be in mercy for his false claime And that the said James & Mary recover against the said George Lewen the sum̃e of Nine hundred Sixty two pounds of tobacco for their costs & charges by them about their defence in this behalfe laid out & expended And the said James & Mary may have thereof Execucōn

Christopher Rousby ag^{t} Garret VSweringen } This action is continued by consent of the plaintiffe & the Defend^{ts} Attorney untill next Provinciall Court Liber N N

To the Honble Justices of the Provinciall Court
The humble peticōn of William Vaughan
Humbly sheweth

That Major Thomas Ingram did by his last Will and testament give & bequeath unto yor peticōn^{r} one seat of land lying in Choptank River, containing three hundred acres, & likewise the sum̄e of fiue thousand fiue hundred pounds of tobacco And if in case that Tho: Philips who agreed for the said land with the said Ingram before His decease was willing to hold the said bargaine, That then there should be paid unto yor peticoñ^{r} out of the Estate of the said Ingram the sum̄e of tenn Thousand pounds of tobacco Yo^{r} peticōn^{r} therefore humbly prayes that yor Hono^{rs} will be pleased to grant yor peticōn^{r} order for the said Legacy out of the Estate of Jeremiah Eaton who marryed with the Executrix of the said Ingram And yor peticōn^{r} as in duty bound shall ever pray. Which peticōn being read & heard the said Mary Eaton appeares by Kenelm Cheseldyn her Attorney, and saith that she hath nothing to say in barr but that judgem^{t} be entred upp against the Estate of the said Jeremiah Eaton for the aforesaid Sum̄e of tenn Thousand pounds of tobacco Therefore itt is considered by the Court here this day to witt the ffourteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 that the said William Vaughan recover against the Estate of the said Jeremiah Eaton the aforesaid sum̄e of tenn thousand pounds of tobacco p. 781

Maryland ss

I doe by Vertue of power given unto me by M^{res} Mary Eaton of the County of Kent widdow appoint & authorize you Kenelm Cheseldyn one of the Attorneys of the Provinciall Court to acknowledge a Judgem^{t} unto William Vaughan for the sum̄e of tenn thousand pounds of tobacco due unto him by a Legacy given unto him by her former Husband Major Thomas Ingram & for so doeing this shall be yor warrant Given under my Hand & Seale this Eleventh day of March 167$^{8}/_{9}$

Test Geo: Parker M Miller (sealed)

Richard Edelen Ex^{r} Samuell Cressey ag^{t} Thomas Clarke } Thomas Clarke late of Charles County was Attached to Answer unto Richard Edelen Executo^{r} of the last Will & Testament of Samuell Cressey deceased in a plea of trespas upon the case

And whereupon the said Richard by Kenelm Cheseldyn his Attorney complaineth that whereas the said Thomas Clark the sixth

Liber N N day of March in the yeare of our Lord One thousand six hundred seventy eight stood indebted unto severall persons several & divers sumes of tobacco in this Province amounting in the whole to the sume of two thousand forty five pounds of tobacco In consideration that the said Samuel Cressey would for & on the behalfe of the said Thomas pay the said severall Sumes of tobacco to the severall persons which he was so indebted to, & would take in his severall bills & noates passed to the said persons for the said debts, the said Thomas Clarke did assume upon himselfe & to the said Samuell did faithfully promise that he the said Thomas Clarke the said severall Sumes so paid as aforesaid when thereunto required to him the said Samuell would well & truely content & pay And the said Richard in fact saith, that the said Samuell in his life tyme did pay for & on the behalfe of the said Thomas Clarke severall sumes of tobacco to severall persons in this Province a particuler of which is here in Court produced amounting in the whole to the sume of two thousand forty five pounds of tobacco Notwithstanding which the said Thomas Clarke the said Sume of two thousand forty five
p. 782 pounds of tobacco to him the said Samuell in his life tyme hath not paid according to his promise nor to the said Richard since his death Exec^r of the last Will & testam^t of the said Samuell though often thereunto required, but the same to him to pay hitherto to hath & still denies to pay to the damage of the said Richard foure thousand pounds of tobacco & thereupon he bringeth his suite And the said Richard bringeth here in Court the letters Testamentory to him the said Richard granted, that itt may appeare to the Court here that he is Exec^r of the last Will & testam^t of the said Samuell & thereupon to haue Admcōn

And the said Thomas Clarke by Robert Carvile his Attorney cometh & defendeth the force and injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the ffourteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 cometh as well the said plaintiffe as the said Defend^t by their Attorneys aforesaid And the said Thomas by his said Attorney saith, that the plaintiffe his action aforesaid against him ought not to haue for that he saith he did in the life tyme of the said Samuel to witt upon the thirteenth day of January One thousand six hundred Seventy five by order of the said Samuell pay unto Mr Matthew Stone the Sume of ffifteen hundred Seventy fiue pounds of tobacco in full for all debts paid & bills taken in for the said Thomas, & for all the bills & debts in the declaracōn mencōned, without that that the said Samuell had any order for the said Thomas to pay the said debts & take in the said bills All which the said Thomas is ready to verifie, & humbly demands judgem^t if the said Richard his action aforesaid

against him ought to have And the said Richard also. Which being read & heard itt is considered by the Court here that the said Richard Edelen Executo^r as aforesaid take nothing by his writt but be in mercy for his false claime And the said Thomas Clarke may goe thereof without day Liber N N

Prop^ry ag^t Vincent Lowe Esqr } Memorandum that att a Provinciall Court held the Eighth day of October in the third yeare of the Dominion of Charles absolute Lord & Prop^ry of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c & in the yeare of our Lord One thousand six hundred Seventy eight here p^rsent in Court in his proper person Kenelm Cheseldyn Attorney Gen^ll of the said Lord Prop^ry in this behalfe prosecuteth, & exhibitteth to the Court here his certaine Informacōn of debt against Vincent Lowe of Talbot County in the Province of Maryland Esqr thereby giveing the Court here to understand & be informed

That whereas the said Vincent Lowe the fifth day of October in the first year of his said Lordpps dominion & in the yeare of our Lord One thousand six hundred Seventy six did by this certaine writeing obligatory sealed with the Seale of the said Vincent here in Court produced whose date is the same day & yeare above written, acknowledge himselfe holden & firmly bound unto Charles Lord Baron of Baltemore now Lord & Prop^ry of the Provinces of Maryland & Avalon &c: in The just Sum̄e or quantity of two hundred p. 783 thousand pounds of good sound M^rchantable tobacco in caske to be paid to the said Lord Baltemore (now Lord & Prop^ry as aforesaid) or his certaine Attorney his Exec^rs Adm^rs or assignes To the which payment well & truely to be made & done he did binde himselfe his heyres Exec^rs & Adm^rs firmly by those p^rsents Notwithstanding which the said Vincent Lowe the said Sum̄e of two hundred thousand pounds of tobacco though often required to him the said Lord Baltemore now Lord & Prop^ry as aforesaid according to the tenour of his said writeing obligatory hath not paid, but the same to him to pay hitherto hath & still denies to pay to the dāmage of the said Lord Prop^ry two hundred & fifty thousand pounds of tobacco, whereupon the said Kenelm Cheseldyn Attorney Gen^ll aforesaid prayeth advice in the p^rmisses And that the said Vincent may come here in Court to answer in & upon the same

And the said Vincent by Robert Carvile his Attorney cometh & defendeth the force & injury when &c & prayeth hearing the writing aforesaid & itt is read unto him, he prayeth also hearing the Condicōn of the said writeing & itt is read unto him in these words The condicōn of this Obligacōn is such That if the above bounden Vincent Lowe doe well & truely serve the right Honble the Lord Prop^ry of this Province his heyres & Successors in the Office of high Sheriffe of the

Liber N N said County of Talbot this ensueing yeare And also shall render unto his Lordpp & other his Lordpps Officers a true & faithfull & perfect account of all & singuler his Lordpps rents & all other ffees & dues that he shall be intrusted with by his said Lordpp or any his Lordpps Officers within this Province to receive & collect And also of all publick & County Levyes that he shall be entrusted to collect And his accounts to his Lordpp his heyres and Successors for his rents fines forfeitures & other dues belonging to his Lordpp As also his account of all ffees dues or Sumes of money or tobacco for Levyes or ffees due to any his Lordpps Officers within this Province shall passe & give accompt off by the twentieth day of March next ensueing the date thereof And in all other things as Sheriffe of the said County shall behave himselfe well & honestly towards all persons according to the best of his power skill & knowledge Then this Obligacon to be Void & of none effect Or else to stand remaine & be in full force & Vertue—which being read & heard the said Vincent Lowe by his Attorney aforesaid prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him the same day is given to the plaintiffe also

Now here att this day to witt the fourteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoqꝫ Doni 1678 cometh as well the said Kenelm Cheseldyn Attorney Gen^ll as the said Vincent Lowe by his Attorney aforesaid, and the said Vincent saith nothing in barr of the action of the aforesaid Kenelm, by which the said Kenelm Attorney Gen^ll as aforesaid remaineth against the said Vincent thereof undefended Therefore
p. 784 itt is considered that the Said Lord Prop^ry recover against the said Vincent Lowe the aforesaid Sume of two hundred thousand pounds of tobacco debt And the defend^t in mercy &c

Upon the peticon of Elizabeth Smith, that sicknes hath rendred her unable to labour for her livelyhood, And that she hath no setled place to abide in, but what the charity of good people doth releive her withall, & humbly beggd an order of this Court for an yearly stipend to be paid her in Calvert County where her abode is Whereupon itt is ordered by the Court here this day to witt the Seventh day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoqꝫ Doni 1678 that att the next County Court to be held in Calvert County, There be such care taken by the Comission^rs of the said Court of the said Elizabeth, that she may have a yearly pension for her maintenance, to be paid unto her by the said County, to be raised att the laying of every County Levy.

Allowed unto Robert Blinkhorne of Calvert County for comeing goeing & attendance to give his Evidence for Roger Baker against Margarett Gittings in all fourteen dayes att thirty pounds of tobacco p day foure hundred & twenty pounds of tobacco

Nehemiah Blakiston ag^t^ Edward Husbands } Edward Husbands late of St Maryes County Chirurgion was Attached by a writt of priviledge of the right Honble the Lord Prop^ry^ forth of the Court here issueing to Answer Nehemiah Blakiston gent̃ one of the Attorneys of the same Court according to the liberties & priviledges to such like Attorneys & other Officers & Ministers of the same Court used & allowed of a plea of trespas upon the case Liber N N

And whereupon the said Nehemiah Blakiston his Attorney complaineth, that whereas the said Nehemiah is a good true faithfull & honest man of his Lordpp the right Honble the Lord Prop^ry^ that now is, & of the late Lord Prop^ry^ Cecilius &c. of noble memory, & as a good true faithfull & honest man hath behaved & governed himselfe ever since his arrivall in this Province, & from the tyme of his nativity ever since his arrivall in this Province, & from the tyme of his nativity as well in the Kingdome of England as in this Province hitherto hath demeaned & carryed himselfe, so that he hath bin of good name fame conversation and reputacõn, & so hath bin looked upon deemed esteemed & reputed as well amongst Honble & Venerable persons as other the Inhabitants of the Kingdome of England & this Province, & with whom the said Nehemiah in any wise had fellowship by all the tyme aforesaid And also as a faithfull just true & honest man from the tyme of his nativity without any blemish of any treason felony robery falsity covin deceipt or any other hurtfull nime or the suspition of the same hath hitherto remained & continued unhurt untouched unspotted & unsuspected And whereas Thomas Gerard Esqr late of the said County of St Maryes deceased takeing notice of the honest just & upright conversacõn Of the said Nehemiah p. 785 and of his civill carriage & demeanour towards all persons, the sixth day of May Anno One thousand six hundred sixty nine the said Nehemiah with the consent will & good likeing of the said Thomas Gerard Esqr espoused and marryed Elizabeth daughter of the said Thomas And in consideration thereof the said Thomas Gerard Esqr setled upon him the said Nehemiah & his heyres for ever lands & tenem^ts^ of a Very great Value within the said County of St Maryes And whereas also the said Nehemiah by reason of his honest conversation aforesaid, & his knowledge & skill in the ordering & prosecuteing busines att Law as well in the Provintiall Court as in the County Court of this Province, the said Nehemiah the Nineteenth day of June in the second yeare of the Dominion of Charles &c was by the Chiefe Justice & other the Justices of the Provinciall Court elected constituted & sworne one of the Attorneys of the same Court As also the day of March in the yeare aforesaid the said Nehemiah was by the Justices of St Maryes County Court also elected constituted and sworne one of the Attorneys of the same Court And from the tymes aforesaid he hath bin & continued one of the Attor-

Liber N N neys of both the said Courts, by all which tyme in all manner of businesses wherein he hath bin imployed in both the said Courts as Attorney att Law for divers & sundry of the Inhabitants of the said Province his Clyents, he the said Nehemiah well honestly diligently & faithfully as their Attorney to his power skill & knowledge by all the tyme aforesaid without any negligence falsity deceipt or guile whatsoev[r] he behaved demeaned & carryed himselfe, & their businesses aforesaid honestly faithfully & justly did doe & dispatch, by meanes whereof the same Nehemiah as Attorney as well in the said Provinciall Court as in the said County Court of S[t] Maryes and also in Charles County Court divers great gaines & profitts of divers of the Inhabitants of this Province his Clients inacting & prosecuteing their causes by all the tyme aforesaid as well for the comfortable & sufficient sustentacōn & maintenance of himselfe & his whole ffamily justly & honestly he did gaine & gett, as also was likely in a short tyme to gett & acquire to himselfe a fruitfull increase of wealth. Notwithstanding which the said Edward Husbands not ignorant of the p[r]misses, but thinking contriving & maliciously intending the same Nehemiah not only in his good name fame creditt & reputacōn wherein before he was, wickedly to hurt detract & make worse, & also to bring the said Nehemiah into hatred scandall reproach evill opinion infamy displeasure & distrust as well amongst all Hon[ble] & venerable persons & the Justices & Judges of the same Courts as also of his Clyents whose Attorney he was, as of all other the Inhabitants of this Province thereby to loose all such profitts gaines & advantages as he honestly & justly gott & obtained by his place of an Attorney in all the aforesaid Courts, by which meanes the said Nehemiah & his whole ffamily must in a short tyme come to penury & want, but also to bring him the said Nehemiah into perill of looseing his life in such an odious manner as to be hanged between heaven & earth as unworthy of both, to loose his bloud as to his Anncestry
p. 786 & posterity, to make him a Sonn Of earth without either Anncestor or heyre, & to forfeit all his Goods & Chattells lands & tenements, to the intent his wife and Children should be cast out, his houses pulled downe, his trees eradicated & overthrown, his meadowes plowed up, & all that he had for comfort delight or sustenance to be utterly wasted & destroyed. the said Edward Husbands the twelfth day of June One thousand six hundred Seventy eight att the City of S[t] Maryes att a Provinciall Court then & there held before his Lordpps Justices thereunto assigned the said Nehemiah then being sitting in Court as Attorney there amongst the rest of the Attorneys of the same Court transacting & managing his Clyents businesses then in the same Court depending falsly malitiously & without any colour or cause of any theft felony or robbery by the said Nehemiah ever comitted, the said Edward the day & yeare aforesaid in the open Court aforesaid Kenelm Cheseldyn Esq[r] Attorney Gen[ll] of his

Lordpp the Lord Prop^{ry} (who by reason of his Office on behalfe of his Lordpp is bound to prosecute all felons murderers robbers or any misdoers or offenders against the Lawe) publickly did informe that the said Nehemiah had robbed him on the high way & putt him in feare of his life & tooke violently from him his hatt & perriwigg, & required the said Attorney Gen^{ll} to draw an Indictment against him for the same, by meanes whereof the said Nehemiah from amongst the rest of the Attorneys of the same Court was secluded, & by the Court comitted into the custody of Gerard Slye gent^{l} high Sheriffe of the said County of St Maryes then present in Court And afterwards to witt the twelfth day of the same June att the City of St Maryes aforesaid in further prosecution of his wicked divellish & malitious contrivance aforesaid, the said Edward the said crime of felony robbery upon his corporall Oath to the said Nehemiah did againe impose before Wm Hatton, John Addison, John Warren, Thomas Courtney, John Darnall, Jacob Young, John Brown, Thomas Tasker, Richard Marsham, Robert Robins, Randolph Brandt, George Godfrey, Thomas Innis, Thomas Bankes, Robert ffranklin & Charles Howell gent^{l} being of a certaine Jury or Inquest of the body of the said Province who upon the only evidence & testimony of the said Edward Husbands against the said Nehemiah then & there upon his Oath as aforesaid falsely malitiously divellishly & wickedly given, the said jurors or Inquest for the body of the said Province did present the said Nehemiah Blakiston by the name of Nehemiah Blakiston late of St Maryes County gent^{l} (meaning the said plaintiffe) for that he the twenty sixth day of March in the first yeare of his said Lordpps Dominion & in the yeare of our Lord one thousand six hundred seventy six att Mattapony in St Clements Manno^{r} in the County aforesaid in the high way there in & upon Edward Husbands then & there in the peace of God &c being did make an assault, & him the said Edward then & there in great feare of his body putt, & one hatt called a ffrench hat & one perriwigg of the Value of three pounds Eight shillings sterling then & there from the person of the said Edward with force & armes feloniously did take & carry away contrary to the peace &c which Indictm^{t} aforesaid the said Justices in the Records of the said Court caused to be entred And Recorded, & the same day comānded the said Sheriffe of St Maryes County the said Nehemiah his Prisoner as aforesaid to the barr to sett, whereupon the said Sheriffe the said Nehemiah to the barr of the said Provinciall Court brought, & the Court requiring the said Nehemiah his hand att the barr to hold up, the said Nehemiah was for the supposed felony & robbery to him by the said Edward as aforesaid imposed by the Clerke of the same Court arraigned, & upon his Arraignment he pleaded not guilty & for his tryall putt himselfe upon the Countrey Therefore comānd was given to the same Sheriffe of St Maryes County that he should

Liber N N

p. 787

Liber N N cause to come before the Justices att St Maryes aforesaid on the thirteenth day of the same June in the yeare aforesaid twelve &c by which &c and who not &c to recognize &c because as well &c Att which day that is to say the same thirteenth day of June in the yeare aforesaid came as well the said Attorney Gen^{ll} in his proper person on the behalfe of the said Lord Prop^{ry}, the said Nehemiah being brought to the barr by the Sheriffe of St Maryes County aforesaid, as the said Sheriffe of St Maryes County aforesaid who to the Court makes returne of the writt aforesaid to him directed served & executed together with the pannell & names of the Jury to passe upon the life & the death of the said Nehemiah, which said jurors to witt Thomas Stagg, Wm Hemsley, John Stanley Benjamin Hunt, John Whittington, Edmond Dennis, John Tennison, Richard Keen, Robert Ellys, Edward Turner, Tho: Smith & Henry Parker gent^{l} being called appeared, & being elected tryed & sworne well & truely to try & true deliverance to make between the said Lord Prop^{ry} & the said Nehemiah then prisoner att the barr whom they had in charge according to their Evidence And notwithstanding the said Edward then & there upon his said corporall Oath the said crime of felony & robbery to the said Nehemiah then prisoner att the barr before his Lordpps said Justices & the jury aforesaid in open Court malitiously falsely divellishly & wickedly did impose & charge, the said jurors upon their Oathes aforesaid did say that the said Nehemiah Blakiston was not guilty of the felony & robbery whereof he stood indicted, nor for that occasion he ever withdrew himselfe Upon which itt was considered by the Court aforesaid (upon publick Proclamacõn solemnly made three tymes That if any manner of person whatsoever could informe his Lordpps Justices or the said Attorney Gen^{ll} of any treason murder or felony or any other misdemeanour comitted or done by the said Nehemiah Blakiston then prisoner att the barr, they should come forth & they should be heard, & no person appeared) that the said Nehemiah Blakiston should goe from thence quietly, & be thereof without day, as by the aforesaid judgem^{t} & proces thereon before the said Justices remaining on Record in the said Provintiall Court relation being thereunto had more fully & more att large itt doth & may appeare By pretext of which said p^{r}misses the said Nehemiah Blakiston is not only in his goods name fame creditt repute & estimacõn, aforesaid in which he was reputed & esteemed greatly hurt & damnified, but was brought
p. 788 in danger of loosing his life And forfeiting his Goods Chattels lands & tenements as aforesaid And also looseing the good opinion & affection of his relations in England being severall eminent persons of good Estates from whom the said Nehemiah did & might expect considerable benifitts to him & his Children after him & his practice of an Attorney in the Courts aforesaid spoiled & lost, but also hath disbursed expended & laid out great Sumes & quantities of

tobacco & money for Sheriffes & Clerkes ffees & other expences & charges in his Imprisonm^t and for purgeing & exonerating dischargeing & defending his innocency against the malitious false & wicked prosecution of the said Edward against him as aforesaid And also his Neighbours & Clients to whom the innocency of the said Nehemiah in this part was unknown have daily more & more refused & yet doe refuse & withdraw themselves from the company and familiarity of the said Nehemiah, by reason whereof the said Nehemiah hath endured many labours miseryes & troubles as well in his imprisonm^t as aforesaid, as also by his being much grieved troubled unquitted & perplexed in his minde in & about the same, to the damage of the said Nehemiah of One hundred thousand pound of tobacco & thereupon he bringeth his suite Liber N N

And the said Edward Husbands by George Parker his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is give to the plaintiffe also

Now here att this day to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq Doni 1678 cometh as well the said Nehemiah Blakiston as the said Edward Husbands by their Attorney aforesaid And the said Edward by his said Attorney saith that the said Nehemiah Blakiston his action aforesaid against him ought not to have, because he saith that the twelfth day of June One thousand six hundred Seventy eight att the City of St Maryes att a Provinciall Court then & there held before his Lordpps Justices thereunto assigned, by Recognizance bound did giue in Evidence to the great Inquest then & there charged & sworne to inquire for the body of the said Province of certaine Articles to them delivered, then & there for the said Lord Prop^ry in the same Province comitted against the said Edward Husbands of & upon a certaine Indictm^t ag^t him the said Nehemiah to the jurors aforesaid then & there exhibitted for that he the said Nehemiah Blakiston the twenty sixth day of March in the first yeare of his Lordpps Dominion & in the yeare of our Lord God One thousand six hundred Seventy & six at Mattapany in St Clements Manno^r in the County aforesaid the said hatt called a ffrench hatt & one perriwigg to the value of three pounds eight shillings ster^l then & there from the person of the said Edward with force & armes feloniously did take & carry away contrary to his Lordpps peace &c Whereupon the jurors aforesaid the jurors aforesaid the said bill of Indictm^t to them against the said Nehemiah Blakiston as aforesaid exhibitted, did present the said bill to be true as itt was lawfull for them to doe. Without that, that any malice was before had between the said Edward Husbands & Nehemiah Blakiston to indict him the said Nehemiah falsely & p. 789
malitiously of & upon the said p^rmisses made as the said Nehemiah above against him doth complaine And this he is ready to prove,

Liber N N whereupon he prayes judgem^{t} if the said Nehemiah ought to have his said action against him &c. And the said Nehemiah saith, that he of his action aforesaid against the said Edward ought not to be barred, because he saith that he the said Edward Husbands did falsely & malitiously cause the said Nehemiah for the pretended cause aforesaid to be Indicted & prosecuted in the said Provintiall Court of this Province untill he was by due course of Law thereof acquitted according as in the said declaracōn as by the said plaintiffe sett forth And this he prayeth may be inquired of by the Countrey And the defend^{t} also Therefore itt was comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c Att which said thirteenth day of March in the yeare aforesaid cometh as well the said Nehemiah Blakiston as the said Edward Husbands by their Attorneys aforesaid And the jurors impannelled being called likewise come, to witt, John Addison, Emanuell Ratcliffe, Tho: Potter, John Watson, Charles Hea, Joseph Edloe, Wm Vaughan, Thomas Courtney, Henry Smith, Christopher Benbridge, John Portwood & Thomas Keyting who being Elected tryed & Sworne to say the truth in the p^{r}misse upon their Oaths doe say that the said Edward Husbands did falsely & malitiously cause the said Nehemiah for the pretended cause aforesaid to be indicted & prosecuted in the said Provintiall Court of this Province untill he was by due course of Law thereof acquitted according as in the said declaracōn is by the said plaintiffe sett forth And they assesse the damage of the said plaintiffe to ffive thousand pounds of tobacco Therefore itt is considered that the said Nehemiah Blakiston recover against the said Edward Husbands the said Sume of Five thousand pounds of tobacco damages by the jurors aforesaid in forme aforesaid And also two thousand one hundred ninety two pounds of tobacco costs of suite And the Defend^{t} in mercy &c

John Halls ag^{t} John Stansby } John Stansby late of Baltemore County Chirurgion otherwise called John Stansby of the Province of Maryland was Sumoned to Answer unto John Halls of a plea that he render unto him the full Sume of five thousand two hundred fifty six pounds of good sound M^{r}chantable tobacco & cask which he oweth & from him unjustly detaineth

And whereupon the said John Halls by George Parker his Attorney saith, that whereas the said John Stansby the one & twentieth day of March One thousand six hundred Seventy five by his certaine bond or writeing obligatory Sealed with the Seale of the said John Stansby & here in Court produced whos date is the day & yeare first abovesaid, did owe & was indebted unto John Halls of Calvert County in the Province aforesaid the full Sume of five thousand two hundred fifty six pounds of good sound M^{r}chantable tobacco & caske to be paid to the said John Halls his heyres Exec^{rs} or Adm^{rs}

or to his certaine Attorney att or before the tenth day of October next ensueing the date Of the said bond att some convenient place in Petuxent river To the which payment well & truely to be made he the said John Stansby did binde himselfe his heyres Ex^{rs} & Adm^{rs} firmly by those p^{r}sents Notwithstanding which the said John Stansby the said Sum̃e of five thousand two hundred fifty six pounds of tobacco although often thereunto required hath not paid, but the same to pay doth altogether deny & refuse whereupon the said John Halls saith that he is damnified & hath losse to the Value of tenn thousand pounds of tobacco & thereupon he bringeth his suite And the said John Stansby by Kenelm Cheseldyn his Attorney comes & defends the force & injury when &c and prayes the hearing of the said bond or writeing obligatory & itt is read unto him, he also prayeth the hearing of the Condicōn of the said bond or writing obligatory & itt is read unto him in these words The Condicōn of this Obligacōn is such, that if the above bounden John Stansby his heyres Ex^{rs} or Adm^{rs} shall well & truely pay or cause to be paid unto the above named John Halls his heyres Ex^{rs} or Adm^{rs} or to his certaine Attorney the just Sum̃e of two thousand six hundred twenty eight pounds of good sound M^{r}chantable tobacco & caske att or before the tenth day of Octob^{r} next ensueing the date of these p^{r}sents att some convenient place in Petuxent River without fraud or further delay That then this p^{r}sent obligacōn shall be void & of none effect, or else itt shall remaine & be in full force power & Vertue wch being read & heard the said John Stansby by his Attorney aforesaid prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Liber N N p. 790

Now here att this day to witt the Eighth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 cometh as well the said John Halls as the said John Stansby by their Attorneys aforesaid And the said John Stansby by his said Attorney saith that he cannot gainsay the said action of the said John Halls, for that he hath not paid to the said John Halls the aforesaid Sum̃e of fiue thousand two hundred fifty six pounds of tobacco in full discharge of the said recited bond or writing obligatory Therefore itt is considered that the said John Halls recover against the said John Stansby the aforesaid Sūme of five thousand two hundred fifty six pounds of tobacco debt As also Nine hundred & tenn pounds of tobacco costs of suite And the defend^{t} in mercy &c

Richard Walker ag^{t} John Shankes
the same ag^{t} Tho: Lomax

These three causes being upon writts of Error are continued untill next Provinciall Court

Liber N N Tho: Tailor ag^{t} John Rawlings

p. 791 Christopher Dennis & uxor ag^{t} Andrew Skinner — Andrew Skinner late of the County of Talbot otherwise called Andrew Skinner of the City of Yorke Tanner was Attached to Answer unto Christopher Dennis & Ann his wife (late called by the name of Ann Nowell of the same Citty widdow) in a plea that he render unto them the sum̃e of ffourteen pounds of lawfull money of England which to them he oweth & unjustly detaineth

And whereupon the said Christopher Dennis & Ann his wife by Christopher Rousby their Attorney complaine, that whereas the said Andrew Skinner the first day of September one thousand six hundred fifty one by his certaine writing obligatory Sealed with the Seale of him the said Andrew here in Court produced whose date is the same day & yeare above mencōned, did acknowledge himselfe to be holden & firmly bound unto Ann Nowell of the same City widdow in the sum̃e of ffourteen pounds of good & lawfull money of England to be paid unto the said Ann Nowell his [*sic*] heyres Exec^{rs} or assignes or to her sure & lawfull Attorney To which payment well & truely to be made & done, he the said Andrew Skinner did binde himselfe his heyres Exec^{r} and assignes firmly by those p^{r}sents Notwithstanding which the said Andrew Skinner the said Sum̃e of ffourteen pounds of sterling money unto her the said Ann Nowell whilst she was sole or unto them the said Christopher Dennis & Ann his wife since the intermarriage between them made though often thereunto required hath not paid, but the same to pay hath denyed & still doth deny to the dam̃age of them the said Christopher & Ann twenty five pounds sterling & thereupon they bring their suite

And whereupon the said Andrew Skinner by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth the hearing of the said writeing obligatory & itt as read unto him, he also prayeth the hearing of the Condicōn of the said writeing obligatory & itt is read unto him in these words vizt The Condicōn of this Obligacōn is such That if the above bounden Andrew Skinner his heyres Exec^{rs} or assignes or any of them doe well & truely content & pay or cause to be contented & paid unto the within named Ann Nowell her heyres Exec^{rs} or assignes the whole & just Sum̃e of seven pounds & five shillings of good & lawfull money of England att or in the now dwelling house of the said Ann Nowell scituate in Walingate within the said City of Yorke att or upon the first day of December next comeing after the date hereof without any further delay, that then this present obligacōn to be void & of no effect, or else to remaine in full power force & vertue Which

being read & heard the said Andrew Skinner by his Attorney aforesaid saith, that as to Seven pounds five shillings sterling he cannot gainsay for that he oweth the same unto the said plaintiffes Therefore itt is considered by the Court here this day to witt the Seventh day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoꝫ Dni 1678 that the said Christopher Dennis & Ann his wife recover against the said Andew Skinner the sum̃e of Seven pounds five shillings sterl debt As also five hundred & sixty pounds of tobacco costs of suite And the Defend^{t} in mercy &c Liber N N

John lLewellin ag^{t} John Blomfield } John Blomfield late of St Maryes City Inholder otherwise called John Blomfield of the City of St Maryes gent^{l} was Sum̃oned to Answer unto John lLewellin of a plea that he render unto him the full & just quantity of Eighteen hundred thirty Eight pounds of good sound M^{r}chantable leafe tobacco & cask which to him he oweth & unjustly detaineth p. 792

And whereupon the said John by Robert Ridgely his Attorney saith, that whereas the said John Blomfield the twelfth day of August Anno Doni One thousand six hundred Seventy eight by his certaine bill obligatory Sealed with the Seale of him the said John Blomfield & here in Court produced whose date is the day & yeare aforesaid, did acknowledge himselfe to owe & stand justly indebted unto the said John in the full & just quantity of Eighteen hundred thirty eight pounds of good sound M^{r}chantable leafe tobacco & caske to containe itt, due to be paid to him the said lLewellin his heyres Ex^{rs} Adm^{rs} or assignes convenient in the said County of St Maryes att or before the tenth day of Octob^{r} next ensueing the date of the same bill obligatory To the which payment well & truely to be made the said John Blomfield did binde himselfe his heyres Exec^{rs} & Adm^{rs} firmly by those p^{r}sents Yet the aforesaid John Blomfield the said quantity of Eighteen hundred thirty eight pounds of tobacco to him the said John lLewellin according to the tenour of the same bill obligatory although often thereunto required hath not paid, but the same to pay hath denyed & as yet doth deny, whereupon the said John lLewellin saith he is dam̃aged & hath losse to the Value of three thousand pounds of tobacco & thereupon he bringeth his suite

And the said John Blomfield in his proper person cometh & defendeth the force & injury when &c and saith that he cannot gainsay the said action of the said John lLewellin for that he hath not paid to the said John lLewellin the said quantity of Eighteen hundred thirty Eight pounds of tobacco in discharge of the said recited bill obligatory according to the forme & effect thereof Therefore itt is considered by the Court here this day to witt the Eleventh day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Anōꝫ Doni 1678 that the said John lLewellin recover

Liber N N against the said John Blomfield the aforesaid debt of Eighteene hundred thirty eight pounds of tobacco And also five hundred & Sixty pounds of tobacco costs of suite So that Execucōn thereof cease untill the tenth day of Octob^{r} next And the said John Blomfield in mercy &c

Richard Sweatnam ag^{t} John Blomfield } John Blomfield late of St Maryes City Innholder otherwise called John Blomfield of the City of St Maryes was Sum̄oned to Answer unto Richard Swetnam of the same City Carpenter of a plea that he render unto him the full & just quantity of three thousand five hundred sixty one pounds of good sound M^{r}chantable tobacco & cask which to him he oweth & unjustly detaineth

And whereupon the said Richard Sweatnam by Robert Ridgely
p. 793 His Attorney saith, that whereas the said John Blomfield the nineteenth day of April Anno Doni One thousand six hundred Seventy eighth by his certaine bill obligatory sealed with the Seale of him the said John Blomfield & here in Court produced whose date is the day & yeare aforesaid, did acknowledge himselfe to be holden & firmly bounden unto Richard Sweatnam of the same City Carpenter in the full & just quantity of three thousand five hundred sixty one pd̄s of good sound M^{r}chantable tobacco & cask, to be paid to the said Richard or to his certaine Attorney his Exec^{rs} Adm^{rs} or assignes conveniently upon the tenth day of November next ensueing the date of the same bill obligatory To the wch payment well & truely to be made the said John Blomfield did binde himselfe his heyres Ex^{rs} & Adm^{rs} firmly by those p^{r}sents Notwithstanding which the said Jno Blomfield the said Sum̄e of three thousand five hundred sixty & one pounds of tobacco to him the said Richard Sweatnam according to the tenour of the said Bill although often thereunto required hath not paid or satisfied, but the same to pay or satisfie hath denyed & as yet doth deny, whereupon the said Richard Sweatnam saith he is damnified & hath losse to the value of foure thousands pounds of tobacco, & thereupon he bringeth his suite

And the said John Blomfield in his proper person cometh & defendeth the force & injury when &c and saith that he cannot gainsay the aforesaid action of the said Richard Sweatnam, for that he hath not paid unto the said Richard the aforesaid quantity of three thousand five hundred Sixty & one pounds of tobacco in discharge of the said recited bill obligatory according to the forme & effect thereof Therefore itt is considered by the Court here this day to witt the Eleventh day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̄ Doni 1678 that the said Richard Sweatnam recover against the said John Blomfield the aforesaid debt of three thousand five hundred Sixty & one pounds of tobacco And also five hundred & Sixty pounds of tobacco costs

of Suite, So that Execucōn thereof cease untill the tenth day of October next And the Defend^{t} in mercy &c Liber N N

Lord Prop^{ry} ag^{t} Marke Cordea & Jno Addison } Marke Cordea & John Addison late of St Maryes County were Sum̄oned to Answer unto Christopher Rousby gent^{l} one of the Attorneys of the Provinciall Court who prosecuteth in this behalfe in a plea that they render unto the right Honble Charles Lord Baron of Baltemore the sum̄e of twenty one thousand seven hundred twenty two pounds of tobacco which to him they owe & unjustly detaineth

And whereupon the said Christopher Rousby who in this behalfe prosecuteth cometh in his proper person, & giveth the Court here to understand & be informed, that whereas the said Marke Cordea & John Addison together with one Walter Hall the Eighteenth day of June in the yeare of our Lord One thousand six hundred Seventy eight by their certaine writeing obligatory sealed with their Seales here in Court produced whose date is the same day & yeare above written, did acknowledge themselves To be holden & firmly obliged p. 794 to the right Honble Charles Calvert Lord Baron of Baltemore in the full Sum̄e of twenty one thousand Seven hundred twenty two pounds of good M^{r}chantable tobacco to be paid to the said Charles Lord Baltemore his heyres or assignes To which payment well & truely to be made they did binde themselves their heyres Exec^{rs} & Adm^{rs} joyntly & severally firmly by those p^{r}sents Yett the said Marke Cordea & John Addison or the said Walter Hall late deceased the said Sum̄e of Twenty one thousand Seven hundred twenty two pounds of tobacco unto the said Charles Lord Baltemore have not paid nor either of them hath paid, but the same to pay have denyed And the said Marke Cordea & John Addison still doe deny, to the dam̄age of the said Charles Lord Baltemore Twenty Eight thousand pounds of tobacco, whereupon the said Christopher Rousby who in this behalfe prosecuteth prayeth the advisem^{t} of the Court in the p^{r}misses And that the said Marke & John may come into Court to Answer in & upon the p^{r}misses

And whereupon the said Marke & John by Robert Ridgely their Attorney come & defend the force & injury when &c and pray hearing of the said writeing obligatory & itt is read unto them They also pray hearing of the Condicōn of the said writing obligatory & itt is read unto them in these words Viz^{t} The Condicoñ of this obligacoñ is such that if the above Marke Cordea Walter Hall & John Addison or any of them their Exec^{rs} or Adm^{rs} shall well & truely pay or cause to be paid unto the said right Honble Charles Calvert Lord Baron of Baltemore att or upon the tenth day of Decemb^{r} next ensueing the date above written in St Maryes County the Sum̄e of tenn Thousand eight hundred Sixty & one pounds of good M^{r}chant-

Liber N N able tobacco Then this Obligacōn to be Void Otherwise to remaine & be in full force & Vertue Which being read & heard the said Marke & John by their Attorney aforesaid say that they have nothing to say in barr of the action aforesaid, whereby the said Lord Prop^ry^ remaineth against the said Marke Cordea & John Addison thereof undefended Therefore itt is considered by the Court here this day to witt the Eleventh day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 that the said Lord Prop^ry^ recover against the said Marke Cordea & John Addison as well the aforesaid Sum̃e of twenty one thousand Seven hundred twenty two pounds of tobacco debt As also ffive hundred & Sixty pounds of tobacco costs of suite, & the defend^ts^ in mercy &c

Henry Hooper ag^t^ Tho: Snell Adm^rs^	These two actions are continued untill next Provinciall Court
Jno Cornish Mary Ward Ex^x^	
Matthew Ward ag^t^ Daniel Clarke Ex^r^	
Edwd Sauvage	

p. 795 Lord Prop^ry^ ag^t^ Thomas Wynne — Thomas Wynne late of St Maryes County otherwise called Thomas Wynne of the County of St Maryes in the Province of Maryland was Sumōned to Answer unto Christopher Rousby gent^l^ one of the Attorneys of the Provintiall Court of this Province who prosecutes in this behalfe of a plea that he render unto the right Honble Charles Lord Baron of Baltemore the quantity of foure thousand fiue hundred Seventy & foure pounds of tobacco which to him he oweth & unjustly detaineth

And whereupon the said Christopher Rousby who in this behalfe prosecuteth cometh in his proper person & giveth the Court here to understand & be advised That whereas the said Thomas Wynne the twentieth day of December in the fortieth yeare of the Dominion of Cecilius &c Annoq̃ Doni one thousand Six hundred Seventy one by his certaine writeing obligatory Sealed with the Seale of him the said Thomas here in Court produced whose date is the same day & yeare above written, did acknowledge himselfe to be holden & firmly indebted unto his Excellency Charles Calvert Esqr Capt Gen^ll^ & chiefe Governo^r^ of the Province of Maryland (who is now the right Honble Charles Lord Baron of Baltemore[)] in the full & just quantity of foure thousand five hundred seventy & foure pounds of good sound M^r^chantable tobacco to be paid to the said Charles Calvert (now Lord Baron of Baltemore as aforesaid) or to his certaine

Attorney Exec^{rs} Adm^{rs} or assignes att some convenient place in St Maryes County aforesaid sometyme between the tenth day of October next ensueing the date thereof & the tenth day of December then next following To the which paym^{t} well & truely to be made he the said Thomas did binde himselfe his heyres Exec^{rs} & Adm^{rs} firmly by those p^{r}sents Yett the said Thomas the said sum̃e of foure thousand fiue hundred seventy foure pounds of tobacco unto the said Charles Calv̄ert (now Lord Baron of Baltemore) hath not paid though often thereunto required but the same to pay hath refused & still doth refuse to the damage of the said Charles Lord Baron of Baltemore Seven thousand pounds of tobacco Whereupon the said Christopher Rousby who prosecuteth on this behalfe prayeth the advisem^{t} of the Court in the p^{r}misses And the said Thomas may come into Court to Answer in & upon the p^{r}misses Liber N N

And the said Thomas Wynne in his proper person cometh & defendeth the force & injury when &c and saith that as to two thousand pounds of tobacco part of the aforesaid Sum̃e of foure thousand fiue hundred Seventy foure pounds of tobacco he hath satisfied & paid to the said Lord Prop^{ry} And as to two thousand five hundred seventy foure pounds of tobacco residue of the aforesaid Sum̃e of foure thousand fiue hundred Seventy foure pounds of tobacco he cannot gainsay for that the same remaines due upon the recited writing obligatory aforesaid Therefore itt is considered by the Court here this day to witt the Eleventh day of March in the fourth yeare of his said Lordpps Dominion &c Annoq̃ Doni 1678 that the said Charles Lord Baron of Baltemore recover against the said Thomas Wynne the aforesaid Sum̃e of two thousand fiue hundred seventy foure pounds of tobacco debt As also five hundred sixty eight pounds of tobacco costs of suite And the Defend^{t} in mercy &c

Charles James ag^{t} Jonathan Sibrey } Jonathan Sibrey high Sheriffe of Cecil County in the Province aforesaid was Attached to Answer unto Charles James of the same County in a plea of trespas upon the case p. 796

And whereupon the said Charles by Christopher Rousby his Attorney complaineth, that whereas att a Provinciall Court of the right Honble the Lord Prop^{ry} of the said Province held for the said Province att the City of St Maryes the sixth day of October One thousand six hundred Seventy seven before the Justices of his said Lordpp thereunto assigned in a certaine cause then & there depending between one Edward Pynn plaintiffe & the said Charles James defend^{t} in an action of trespas upon the case, upon the verdict of twelve good & lawfull men of this Province then & there impannelled & Sworne to try the cause aforesaid who found upon their said Oaths for the said Defend^{t} And that the said plaintiffe had no cause of action Itt was considered by the said Justices that the said plain-

Liber N N tiffe should be in mercy for his false claime And that the said Charles should have foure thousand & twelve pounds of tobacco for his costs and charges in the same suite wrongfully sustained And whereas afterwards to witt the ninth day of October One thousand six hundred seventy seven, he the said Charles James did sue out of the same Court his Lordshipps writt of capias ad satisfaciendum directed to the then Sheriffe of Cecil County comanding him to take the body of him the said Edward if he should be found in his bailywick & him safely keep so as he had the said Edward before the Justices of the said Provinciall Court att S[t]Maryes aforesaid the fourth day of December then next following to satisfie unto the said Charles the said Sume of foure thousand & twelve pounds of tobacco so as aforesaid adjudged to the said Charles, which said writt aforesaid to witt the day of was by the said Charles James in Cecil County aforesaid to the said Jonathan Sibrey then being Sheriffe of the same County delivered in forme of Law to be Executed By Vertue of which said writt the said Jonathan afterwards to witt the day of one thousand six hundred Seventy Seven then being Sheriffe of Cecil County aforesaid att within the same County the said Edward Pynn for the cause aforesaid did take, & him the said Edward under his custody then & there had & kept Afterwards to witt the said fourth day of December One thousand six hundred Seventy seven by speciall writt of Adjournment of the right Hon[ble] the Lord Prop[ry] the Provinciall Court of this Province & all writts bills proces precepts & other things then & there depending undetermined was adjourned untill the fifth day of the same month of Decemb[r] And by the Special writt adjourned from the said fifth day to the sixth day of the same month of December And by the like Special writt was adjourned from the said sixth day of Decemb[r] untill the twelfth day of ffebruary then next following And all Sheriffes Officers & other Ministers whatsoever of the said Province of Maryland were by the said writt of Adjournm[t] comanded that every of them should in their Custody detaine all & singuler the writts bills proces & precepts whatsoever either in Law or Equity which were to be returned before his said Lordpp the said fourth
p. 797 day of December One thousand six hundred Seventy seven or at any other dayes aforesaid And them att the said twelfth day of ffebruary One thousand six hundred Seventy seven att S[t] Maryes aforesaid they cause to be returned As by the said severall writts of Adjournm[t] upon Record in the Secretaries Office of this Province more att large appeareth And whereupon the said Jonathan then Sheriffe of Cecil County aforesaid to witt the said twelfth day of ffebruary One thousand six hundred seventy seven made returne of the said writt of capias ad Satisfaciendum into the Secretaryes Office of this Province with an Endorsem[t] thereupon in these words Viz[t] The

body of the within menconed Edward Pynn I have according to tyme & place Afterwards to witt the said twelfth day of ffebruary aforesaid he the said Jonathan then being Sheriffe of Cecil County aforesaid And the said Edward Pynn then being in custody of him the said Sheriffe for the cause aforesaid att St Maryes City in the County of St Maryes the said Charles not being satisfied the said foure thousand & twelve pds of tobacco without the consent comand & will of the said Charles, the said Jonathan then being Sheriffe of Cecil County aforesaid the said Edward Pynn did suffer freely to goe att large whither he would And the said Edward before the said Justices of the Provintiall Court of the said right Honble the Lord Prop^ry^ att St Maryes aforesaid the said twelfth day of ffebruary One thousand six hundred Seventy seven he the said Jonathan had not Whereby the said Charles from obtaining the said ffoure thousand & twelve pounds of tobacco so adjudged to him as aforesaid is altogether hindred & defrauded And the same foure thousand & twelue pounds of tobacco hath totally lost to the damage of the said Charles tenn thousand pounds of tobacco & thereupon he brings his suite Liber N N

And the said Jonathan by Robert Carvile his Attorney cometh & defendeth the force & injury when &c and saith nothing in barr of the action of the said Charles James, whereby the said Charles remaineth against the said Jonathan thereof wholy undefended Therefor itt is considered by the Court here this day to witt the Eleventh day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq Doni 1678 that the said Charles James recover against the said Jonathan Sibrey as well the sume of foure thousand & twelve pounds of tobacco damages, as also Six hundred ninety six pounds of tobacco costs of suite So that Execucon thereof cease untill the tenth day of Octob^r^ next And the defend^t^ in mercy &c

Richard Marsham &
George Lingam Ex^rs^
Charles Gosfright
ag^t^
Michael Tawney
the same
ag^t^
the same

The Defend^t^ by Charles Boteler his Attorny appeares & imparles untill next Court

Abraham Heyman
ag^t^
Jonathan Sibrey

Jonathan Sibrey Sheriffe of Cecil County otherwise called Jonathan Sibrey in Wye River in the Province of Maryland gent^l^ was Sumoned to Answer unto Abraham Heyman M^r^chant in a plea that he render unto him Seven thousand four hundred thirty p. 798

Liber N N & Seven pounds of tobacco & cask which to him he oweth & unjustly detaineth

And whereupon the said Abraham by Christopher Rousby his Attorney saith, that whereas the said Jonathan the fifth day of April One thousand six hundred Seventy two by his certaine writeing obligatory Sealed with the Seale of him the said Jonathan here in Court produced whose date is the same day & yeare abovesaid did binde himselfe his heyres Exec^{rs} Adm^{rs} or assignes to pay or cause to be paid unto the said Abraham Heyman or his assignes the full & just Sum̃e of Seven thousand foure hundred thirty & seven pounds of good sound M^{r}chantable tobacco & cask att some convenient place in Miles or Wye River att or upon the tenth day of October next ensueing the date thereof Yet notwthstanding the said Jonathan the said Sum̃e of Seven thousand foure hundred thirty seven pounds of tobacco & caske unto the said Abraham though often thereunto required hath not paid but the same to pay altogether refuseth Whereupon the said Abraham saith he is damnified & hath losse to the Value of Nine thousand pounds of tobacco, & thereupon he bringeth his suite

And the said Jonathan Sibrey by Robert Carvile his Attorney cometh & defendeth the force & injury when &c and saith, that as to foure thousand Eight hundred fifty five pounds of tobacco part of the debt in the declaracōn mencōned he hath satisfied & paid unto the said Abra^{m} Heyman And as to two thousand five hundred Eighty two pounds of tobacco residue of the debt aforesaid, the same remaines due unto the said Abraham Therefore itt is considered by the Court here this day to witt the seventh day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 That the said Abraham Heyman recover against the said Jonathan Sibrey as well the Sum̃e of two thousand fiue hundred Eighty two pounds of tobacco residue of the debt aforesaid As also five hundred forty foure p̃ds of tobacco costs of suite And the Defend^{t} in mercy &c And the said plaintiff in mercy for his false claime against the said Defend^{t} for foure thousand Eight hundred fifty fiue pounds of tobacco part of the debt aforesaid whereof he is above acquitted And the said Defend^{t} may goe thereof without day

James Mills Ex^{r}
Samuel Boston
ag^{t}
John Gunn
} This action abates, the Defend^{t} being dead.

James Tyer
ag^{t}
Tho: Helgar
} This action is continued untill next Court

James Mills ag^t Henry Johnson } Comand was given to the Sheriffe of St Maryes County that whereas Henry Johnson was Attached to Answer unto James Mills, wherefore he the said Henry the fourteenth day of ffebruary Anno Doni One thousand six hundred Seventy seven with swords & staves the close of him the said James att his plantacōn att Gouldsmiths Rest in Baltemore County did break, & one Brigantine of the proper Goods & Chattells of him the said James of the Value of twelve thousand pounds of tobacco he tooke & carryed away, & the same from him as yet doth detaine, & other harmes to him did to the great damāge of the said James & against the peace of the Lord Prop^ry In such manner in this Court itt is proceeded in, that the aforesaid James Mills ought to recover against the said Henry Johnson his damāges by reason of the trespas aforesaid But because itt is not known what damāge the said James Mills hath sustained by occasion of the p^rmisses Itt was therefore comanded the same Sheriffe that he cause to come here to witt the twelfth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 twelve good & lawfull men of his County to enquire diligently what damāges the aforesaid James Mills hath sustained by occasion of the trespas aforesaid

Liber N N p. 799

Afterwards to witt the fourteenth day of March in the yeare aforesaid cometh as well the said James Mills by Robert Carvile his Attorney As the said Henry Johnson by Robert Ridgely his Attorney And the jurors impanneld being called like wise come to witt John Addison, Emanuell Ratcliffe, Thomas Potter, John Watson, Charles Hea, Joseph Edloe, Henry Alexander, Wm Vaughan, Thomas Courtney Henry Smith, Thomas Keyting & Philip Pocock who being elected tryed & sworne to say the truth in the p^rmisses upon their Oaths doe say that the said James Mills hath sustained damāges by occasion of the p^rmisses to Eight thousand pounds of tobacco Therefore itt is considered by the Court here that the said James Mills recover against the said Henry Johnson as well the aforesaid Sum̄e of Eight thousand pounds of tobacco damāges by the jurors aforesaid in forme aforesaid assessed As also three thousand Eight hundred .81. pounds of tobacco costs of suite And the Defend^t in mercy &c

John Noble ag^t Richard Burket
Nehemiah Blakiston ag^t Wm Hailes
Richard Higginbotham ag^t Wm Layton
} These four actions are agreed

Liber N N Ralph Shaw ag^{t} John Harvey

p. 800 George Robins ag^{t} Robert Bryan
the same agt the same
Wm Neads & Comp^{a} ag^{t} Edward Gibbs
John & Thomas Dudlestone ag^{t} the same
Morgan Jones ag^{t} Cha: Bathurst & Nich: ffurnis
Edward Pynn ag^{t} Jonathan Sibrey
Nehem^{a} Blakiston ag^{t} Wm Rosewell
Tho: Carlisle & al^{t} Ex^{rs} Jno Cuningham ag^{t} Margarett Hall Ex^{x} Walter Hall

The Defend^{ts} by Robert Ridgely their Attorney appeare and imparle untill next Court

Mary Roe Ex^{x} Edward Roe ag^{t} Mary Eaton Ex^{x} Jeremiah Eaton
John Hamilton ag^{t} John Garnis
Samuel Dobson ag^{t} the same
Henry Brayne ag^{t} Justinian Gerard

The Defend^{ts} by Kenelm Cheseldyn their Attorney appeare & imparle untill next Court

Philip Lynes
ag^{t}
Mary Pope

Liber N N

James Mills
ag^{t}
Henry Johnson

Com̄and was giuen to the Sheriff of St Maryes County, that whereby Henry Johnson late of Baltemore County was Attached to answer unto James Mills of a plea wherefore with force & armes att the plantacōn of him the said James in the County aforesaid the Sales belonging to a certaine Brigantine of the proper Goods & Chattells of the said James he did take & carry away & other harmes to him did to the dam̄age &c and against the peace &c In such manner in this Court itt is proceeded in, that the said James Mills ought to recover against the said Henry Johnson his dam̄ages sustained by occasion of the p^{r}misses, but because itt is not known what dam̄age the aforesaid James Mills hath sustained by occasion thereof Itt was therefore comanded the same Sheriffe that he cause to come here to witt the twelfth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̧ Doni 1678 twelve good & lawfull men of his County diligently to enquire what dam̄ages the aforesaid James Mills hath sustained by occasion of the p^{r}misses

p. 801

Afterwards to witt the fourteenth day of March in the yeare aforesaid cometh as well the said James Mills by Robert Carvile his Attorney as the said Henry Johnson by Robert Ridgely his Attorney And the jurors impannelld being called likewise come to witt John Addison, Emanuel Ratcliffe, Thomas Potter, John Watson, Charles Hea, Joseph Edloe, Henry Alexander, Wm Vaughan, Thomas Courtney, Henry Smith, Thomas Keyting & Philip Pocock, who being Elected tryed & Sworne to say the truth in the p^{r}misses upon their Oaths doe say that the said James Mills hath sustained dam̄ages by occasion of the p^{r}misses to One thousand pounds of tobacco Therefore itt is considered that the said James Mills recover against the said Henry Johnson the sum̄e of One thousand pounds of tobacco dam̄ages by the jurors aforesaid in forme aforesaid assessed And also Eleven hundred ninety Seven pounds of tobacco costs of suite And the defend^{t} in mercy &c

Wm Yate & ux:
ag^{t}
Richard Beard

Tho: Tasker
ag^{t}
Richd̄ Marsham &
Geo: Lingam Ex^{rs}
Cha: Gosfright

These foure actions are agreed

Liber N N the same ag^{t} the same
Robert Strong ag^{t} Thomas Mudd

p.802 John Mould ag^{t} John Posey
Kenelm Cheseldyn ag^{t} Pope Alvey
the same ag^{t} John Tant
Philip Hoskins ag^{t} Michael Webb & al
} These foure actions are agreed

Richard Johns ag^{t} Abraham Clarke & ux: } The Defend^{ts} by Robert Ridgely their Attorney haveing demurred to the plaintiffes declaracōn, which being overruled by the Court, the defend^{ts} move in Arrest of judgem^{t} whereupon tyme is given unto both parties untill next Provintiall Court

Edward Man ag^{t} John Quigley } The jurors findeing for the plaintiffe in this action, the Defend^{t} by Robert Ridgely his Attorney moved in Arrest of judgem^{t} & putt in his reasons for Arresting the same, whereupon day was giuen to both parties untill next Provintiall Court

Mary Warde Ex^{x} Matthew Warde ag^{t} Tho: Pattison } The plaintiffe for want of a plea to her declaracōn, obtaines judgem^{t} ag^{t} the Defend^{t} for default thereof Whereupon Robert Ridgely Attorney for the Defend^{t} moved in Arrest of judgem^{t} and craves tyme untill next Court to putt in his reason for Arresting thereof, the same day is giuen to the plaintiffe also

Edward Pynn ag^{t} Jonathan Sibrey } This action is continued untill next Court

Liber N N

James Ives & ux ag^{t} Tho Spinke Adm^{r} Jane Paine — This action in Ejectm^{t} abates, the plaintiffes being dead

Hugh Sherwood ag^{t} Henry Wilcox and Cha: Hollingsworth Trustees for Mary & Judith Howden — John Hunt late of Talbott County planter was Attached to Answer unto Hugh Sherwood of the same planter of a plea wherefore with force & arms into all that parcell of land lying in Talbot County called Macklin brough on the East side of Chessepiake bay & on the East side of a river called Chester river, beginning att a marked Pussimon & runing North East & by North two hundred twenty one perches to a certaine branch, & from thence to the second Bound tree being an Oak standing by the river side North two hundred forty six perches, from thence with a line drawn East South East three hundred & twenty perches, from thence with a line drawne South & East foure hundred perches extending over the Creek called Island Creek to a certaine bounded red Oak standing neer the side of the said Creek, & from thence with a line drawne West North West three hundred & twenty perches to the first bounded tree standing att the mouth of a Creek called Herring Creek Containing Eight hundred acres more or lesse, which one John Power of the same County had demised to him the said Hugh Sherwood for a terme which is not yett past, he the said John Hunt did enter & him from his ffarme aforesaid did Eject, & other harmes to him did to the great damage of the said Hugh & against his Lordshipps peace &c

p. 803

And whereupon the said Hugh Sherwood by Robert Carvile his Attorney saith, that whereas the said John Power upon the twenty seventh day of March in the yeare of our Lord One thousand six hundred Seventy Eight, the said John Power in Talbot County aforesaid did Demise to him the said Hugh Sherwood the said parcell of land called Macklin borough lying in Talbot County on the East side of Chessepiake bay & on the East side of a river called Chester river & butted & bounded as aforesaid To have & to hold the same to him the said Hugh Sherwood & his assignes from the said Twenty seventh day of March aforesaid for & dureing & unto the full end & terme of three yeares from thence next ensueing & fully to be compleat & ended By vertue of which Demise the said Hugh into the lands and p^{r}misses aforesaid entred & became possessed thereof And being so thereof possessed afterwards to witt the first day of April in the said yeare One thousand six hundred Seventy eight the said John Hunt into the same p^{r}misses which the said John Power to him the said Hugh in manner & forme aforesaid had demised for the terme aforesaid which is not yet past entred, & him

Liber N N from his possession thereof did Eject & other harmes to him did to the great damnage of the said Hugh, whereupon he saith he is damnified & hath losse to the Value of tenn thousand pounds of tobacco & thereupon he bringeth his suite

20th April, 1678

Unlesse the tenant in possession or those under whom he claime doe att the next Provintiall Court to be held att the City of St Maryes the eleventh day of June next appeare to this declaracōn, & make him or themselves defendts thereunto, & by rule of Court confesse Lease entry & Ejectment, & insist only upon the title thereof, the Defendt in this declaration will confesse judgement, & possession will be delivered accordingly to the plaintiffe

To Thomas Carman Tenant in possession
of the prmisses within meñconed

Henry Wilcox & Charles Hollingsworth Trustees for Mary &
p. 804 Judith Howden come by Christopher Rousby their Attorney, & desire to be admitted defendts to try the title to the parcell of land in the declaracōn meñconed, and pray liberty to imparle hereunto untill next Provintiall Court & itt is granted unto them, the same day is given to the plantiffe also

Now here att this day to witt the fourteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1678 cometh as well the said plaintiffe as the said defendts by their Attorneys aforesaid And the said Defendts by their said Attorney say that they are in no wayes guilty of the trespasse abovesaid in manner & forme as in the plaintiffes declaracōn is alleadged against them And of this they putt themselves upon the Countrey Whereupon the plaintiffe by the Attorney aforesaid refused to make any further prosecution against the Defendts in the plea aforesaid Therefore itt is considered that the plaintiffe be in mercy for his false claime And that the defendts goe thereof without day And that the said Henry & Charles recover against the said plaintiffe the sume of Twelve hundred & Eighty pounds of tobacco for their costs & charges by them about their defence in this behalfe laid out & expended And the said Henry & Charles Trustees as aforesaid may have thereof Execution

Jacob Liseler agt John Blomfield } John Blomfield late of the City of St Maryes Innholder otherwise called John Blomfield of the City of St Maryes in the Province of Maryland was Sumoned to answer unto Jacob Liseler of New Yorke Mrchant of a plea that he render unto him the full & just quantity of foure thousand five hundred & twenty pounds of good tobacco & cask which to him he oweth & unjustly detaineth

And whereupon the said Jacob Liseler by Robert Ridgely his Attorney saith, that whereas the said John Blomfield the ffifteenth day of May in the yeare of our Lord One thousand Six hundred Seventy seven by his certaine bill obligatory Sealed with the Seale of him the said John & here in Court produced whose date is the day & yeare aforesaid did acknowledge himselfe to owe & be indebted unto the said Jacob in the full & just quantity of foure thousand fiue hundred & twenty pounds of good tobacco in cask, to be paid unto the said Jacob Liseler his heyres Ex^{rs} or Adm^{rs} or assignes att or upon the tenth day of October next ensueing the date of the same bill obligatory, for the which payment well & trulely to be made & done the said John Blomfield did binde himselfe his heyres Ex^{rs} & Adm^{rs} firmly by those p^{r}sents Notwithstanding which the said John Blomfield the said Sum̃e of foure thousand five hundred & twenty pounds of tobacco to him the said Jacob Liseler according to the tenour of the said bill obligatory although often thereunto required hath not paid, but the same to pay hath denyed & as yet doth deny, whereupon the said Jacob saith he is damnified & hath losse to the value of Six thousand pounds of tobacco, & thereupon he produceth his suite Liber N N

And the said John Blomfield in his proper person Cometh & defendeth the force & injury when &c and saith, that as to two thousand pounds of tobacco part of the debt in the declaration mencōned he hath satisfied & paid unto the said Jacob Liseler And as to two thousand five hundred & twenty pounds of tobacco residue of the debt aforesaid he cannot gainsay for that the same remaines due unto the said Jacob Therefore itt is considered by the Court here this day to witt the Eleventh day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 that the said Jacob Liseler recover against the said John Blomfield the sum̃e of two thousand five hundred & twenty pounds of tobacco the remainder of the debt aforesaid As also five hundred & Sixty pounds of tobacco costs of suite And the Defend^{t} in mercy~Cessat Executio 10th Octob^{r} next p. 805

Mary Roe Ex^{x}
Edwd Roe
ag^{t}
Nich: Hacket

The Sheriffe of Talbot County haveing returned a Cepi in this cause, the plaintiffe by Robert Carvile her Attorney moved the Court for special baile, & itt is granted Whereupon this day to witt the Eighth day of March in the fourth year of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 cometh the said Nicholas Hacket with John Glover & Robert Bryan his suerties And the said John Glover & Robert Bryan did acknowledge in open Court, that if the said Nicholas Hacket be cast in this suite And doe not satisfie ye condemnācon thereupon or render his body to prison, that they the said John & Robert will satisfie & pay the

Liber N N same which suerties were accepted of by the plaintiffes Attorney, & day giuen unto both parties untill next Provintiall Court

Charles Ascombe ag^{t} Wm Boarman } The defend^{t} by Henry Bonner his Attorney appeares & imparles untill next Court

Tho: Bland ag^{t} Edwd Dorsey, John Machen ag^{t} Wm Chandler } The Defend^{ts} by Robert Carvile their Attorney appeare & imparle untill next Court

Humphry Davenport ag^{t} Tho: Hathud & Ann ux: } The Sheriffe of Talbot County haveing returned a cepi in this cause, & no defend^{t} appearing, ordered that the same Sheriffe be in misericordia, unlesse the Defend^{ts} appeare next Court

Michael Taney ag^{t} Edwd Gibbs } The Sheriffe of Some^{r}sett County haveing returned a Cepi in this cause, the plaintiffe by Charles Boteler his Attorney moved the Court for speciall baile, & itt is granted, whereupon this day to witt the Eighth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 cometh the said Edward Gibbs with Andrew Jones & John King of Som^{r}sett County his suerties And
p. 806 the said Andrew & John did undertake for the said Edward in the sūme of ffourteen thousand two hundred thirty six pounds of tobacco to be Levyed of their and either of their lands & tenem^{ts} Goods & Chattles to the use of the said Michael Taney upon this Condicōn That if the said Michael Taney doe obtaine judgem^{t} in an action of debt depending in this Court against the said Edward Gibbs That then the said Edward Gibbs shall pay the condemnacōn or deliver himselfe to the prison of the Sheriffe of the County of St Maryes Or that they the said Andrew Jones & John King will doe itt for him, which suerties were accepted of by the plaintiffes Attorney, and day giuen unto both parties untill next Provinciall Court

John Staynes ag^{t} Ann Jones, Saml Dryer ag^{t} Wm Yieldhall } These two actions being upon Appeales from the County Court, are continued untill next Court

Randall Revell ag^t George Downes — The Sheriffe of Som^r^sett County haveing returned a Cepi in this cause And the Defend^t^ not appearing, the baile bond was delivered upp in open Court unto Robert Carvile Attorney for the plaintiffe to be putt in suite Liber N N

James Clayland ag^t^ Richard Parnes — The Sheriffe of Talbot County haveing returned a Cepi in this cause, And the plaintiffe although solemnly called not appearing to prosecute his writt, this cause was dismissed by the Court

Tho: Parker ag^t^ Tho: Clayland — The Sheriffe of Talbot County haveing returned a non est inventus in this cause, The plaintiffe by Kenelm Cheseldyn his Attorney prayed an Attachm^t^ against the Goods & Chattles of the defend^t^ Thomas Clayland according to Act of Assembly, & itt is granted unto him by the Court here

John Bearcroft ag^t^ Jeane Williams Ex^x^ Wm Williams — The Defend^t^ by Nehemiah Blakiston her Attorney appeares & imparles untill next Court

John Edmondson ag^t^ Henry Mitchell
James Mills ag^t^ Enoch Bolton
Richard Gardner Ad^r^ Jno Weir ag^t^ Richd Boughton
— The Defend^ts^ by George Parker their Attorney appeare & imparle untill next Court.

Wm Doning ag^t^ Jno Brooke
Richard Marsham & George Lingam Ex^rs^ Cha: Gosfright ag^t^ Mich^l^ Taney
the same ag^t^ the same
— The Defend^ts^ by Charles Boteler their Attorney appeare & imparle untill next Court p. 807

Liber N N

Tho: Gilbert ag^{t} John Brooke } This action is agreed

John Edmondson ag^{t} Sarah Barrett
Anthony Mayle ag^{t} Wm Hemsley } Unlesse the Defend^{ts} appeare next Court, the Sheriffe of Talbot County amerced

Robert Ridgely ag^{t} John Saunders } The Sheriffe of Charles County haveing returned in this cause, that the Defend^{t} is not to be found within his bailywick the plaintiffe in his proper person prayed an Attachm^{t} agst the Goods & chattles of the Defend^{t} according to Act of Assembly, & itt is granted unto him

Tho: Smithson ag^{t} Richard Covell } The Sheriffe of Calvert County haveing returned in this cause, that the Defend^{t} is not to be found within his bailywick, the plaintiffe by Robert Carvile his Attorney prayed an Attachm^{t} against the Goods & Chattles of the Defend^{t} according to Act of Assembly, & itt is granted unto him

Gabriel Deane & Stephen Watts ag^{t} John Saunders } The Sheriffe of Charles County haveing returned in this cause, that the Defend^{t} is not to be found within his bailywick, the plaintiffs by Christopher Rousby their Attorney pray an Attachm^{t} against the Goods & Chattles of the Defend^{t} according to Act of Assembly, & itt is granted unto them

Edward Inglish ag^{t} John Ireland
the same ag^{t} the same } The Sheriffe of Kent County haveing returned in these two causes that the Defend^{t} is not to be found within his bailywick the plaintiffe by Robert Ridgely his Attorney prayeth an Attachment against the Goods & Chattles of the Defend^{t} according to Act of Assembly, & itt is granted unto him

John England ag^{t} Nich: Guither } The Sheriffe of St Maryes County haveing returned in this cause that the Defend^{t} is not to be found within his bailywick, the p^{lt} by Robert Ridgely his Attorney prayeth an Attachm^{t} agst the Goods and Chattles of the Defend^{t} according to Act of Assembly, & itt is granted to him

Liber N N
p. 808

Robert Dowlan ag^t John Blomfield
Robert Carvile ag^t Pope Alvey
} Unlesse the Defend^ts appeare next Court the Sheriffe of St Maryes County amerced

Tho: Brearly ag^t Jno Kennimont
} The Defend^t by John Rousby his Attorney appeares & imparles untill next Court

Edward Gibbs ag^t Theophilus Turford
} The Defend^t by Charles Boteler his Attorney appeares & imparles untill next Court

Samuell Lane ag^t Richard Marsham & Geo: Lingam Ex^rs Cha: Gosfright
Edward Leach ag^t Robert Murphy
Tho: Groves ag^t Richard Marsham & Geo: Lingam Ex^rs Cha: Gosfright
Tho: Bland ag^t Peter Pagan
} The Defend^ts by Christopher Rousby their Attorney appear & imparle untill next Court

John Addison ag^t Richard Hodgson
} The Sheriffe of Charles County haveing returned in this cause, that the Defend^t is not to be taken by reason he keepes himselfe upon his Guard, swearing the death of any person that shall attempt to come in upon him, the plaintiffe by Robert Ridgely his Attorney prayed an Attachm^t against the Goods & Chattles of the Defend^t according to Act of Assembly & itt is granted unto him

Richard Marsham & Geo: Lingam Ex^rs Cha: Gosfright ag^t John Darnall
} The Defend^t by Charles Boteler his Attorney appeares & imparles untill next Court

Liber N N Jacque Pean ag^{t} John Scott & ux: Ex^{x} Jno Jordaine } Unlesse the Defend^{ts} appearce next Court, the Sheriffe of St Maryes County amerced

p. 809 Margarett Hall Ex^{x} Walter Hall ag^{t} Garret VSweringen } Comand was given to the Sheriffe of St Maryes County, that whereas att a Provinciall Court held att the City of St Maryes before the Justices of the said Court the Eighteenth day of June last past, in a suite depending between Walter Hall plaintiffe & Garret Van Sweringen Defend^{t} the said Walter recovered judgm^{t} against the said Garret for fourteen thousand pounds of tobacco debt with five hundred fifty & eight pounds of tobacco costs of suite whereof he is convicted, whereof satisfaction remaineth to be made Itt was therefore comanded the same Sheriffe, that by good & lawfull men of his bailywick he make known to the said Garret Van Sweringen that he be & appeare here the fourth day of March in the third yeare of his Lordpps Dominion &c Annoq̃ Doni 1678. to show cause if any he have why Execution should not issue forth upon the judgm^{t} aforesaid which said fourth day of March on which the said Court ought to have bin held was by his Lordpps writt of Adjournm^{t} Adjourned untill the fifth day of March then next following, And from the said fifth day of March was by his Lordpps writt of Adjournment Adjourned untill the sixth day of March then next comeing On which said sixth day of March the same Sheriffe maketh returne of the writt aforesaid That by good & lawfull men of his bailywick he hath made known to the said Garret Van Sweringen to be & appeare as by the same writt he was comanded

Afterwards to witt the Eleventh day of March in the fourth yeare of the dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 cometh the said Margaret Hall Exec^{x} of the last Will & testament of the said Walter Hall by Robert Ridgely her Attorney and prayeth her Execution of the said debt & costs of suite And the said Garret Van Sweringen according to the warning in this behalfe made by Robert Carvile his Attorney likewise came And the said Garret to preclude the said Margarett from her said Execution saith nothing Therefore itt is considered that the said Margarett shall haue her Execution against the said Garret Van Sweringen of the debt & costs aforesaid And also five hundred twenty eight p̃ds of tobacco for her costs & charges sithence laid out & expended And the Defend^{t} in mercy &c

John Quigley ag^{t} Richard Sweatnam }

ffrancis Roberts ag^t Edward Gibbs; Tho: Hussey ag^t Justinian Gerard — The Defend^ts by Kenelm Cheseldyn their Attorney appeare and imparle untill next Court Liber N N

Wm Stevens ag^t Matt: Scarborough — The Sheriffe of Som^rsett County haveing returned in this cause, that the Defend^t is not to be found within his bailywick, the plaintiffe by Robert Ridgely his Attorney prayed an Attachm^t against the Goods & Chattles of the Defend^t according to Act of Assembly, & itt is granted unto him

Richard Johns ag^t James Harrison — The Sheriffe of Calvert County haveing returned a Cepi in this cause, the plaintiffe by George Parker his Attorney moves the Court for speciall baile, whereupon itt is ordered that the Defend^t remaine in the Custody of the Sheriffe of the said County, untill he give speciall baile to answer the plaintiffes action & abide judgem^t p. 810

Nehemiah Blakiston ag^t Peter Ceely Adm^r Tho: Ceely; the same ag^t the same — The Sheriffe of St Maryes County haveing returned in these two causes that the Defend^t is not to be found within his bailywick, the plaintiffe (one of the Attorneys of this Court) in his proper person prayed Attachments against the Goods & Chattles of Thomas Ceely deceased, & itt is granted unto him by the Court here

Malachy Peale ag^t James Tyer — The Defend^t by Henry Bonner his Attorney appeares & imparles untill next Court

Vincent Mansfield ag^t William Tailor — The Sheriffe of St Maryes County haveing returned a Cepi in this cause, & no appearance for the Defend^t Ordered that the baile bond be assigned over to the plaintiffe to be putt in suite

John Wynn ag^t Jeane Williams Ad^x Wm Williams — The Defend^t by Nehemiah Blakiston her Attorney appeares & imparles untill next Court

The right Honble the Lord Prop^ry ag^t Matt: Scarborough — The Sheriffe of Som^rsett County haveing returned that the Defend^ts are not to be found in his bailywick, the plaintiffe by Rob-

Liber N N the same ag^{t} John Longden } ert Ridgely his Attorney desired Attachm^{ts} against the Goods & Chattles of the Defend^{ts} & itt is granted by this Court here

Wm Planner ag^{t} Amos Parsons } These two causes being upon Writts of Error, are continued untill next Court
Ralph ffishborne ag^{t} Humphry Davenport }

Abigail Wright Ad^{x} Arthur Wright ag^{t} John Richardson } The Sheriffe of Dorchister County haveing returned a Cepi in this cause, the plaintiffe by Robert Carvile her Attorney moved the Court for speciall baile, & itt is granted, whereupon this day to witt the Eleventh day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678. cometh the said John Richardson with Wm Watson & John Glover his suerties, And the said Wm Watson & John Glover did undertake for him the said John Richardson in the
p. 811 Sum̃e of foure thousand nine hundred thirty eight pounds of tobacco to be Levyed of their & either of their lands & tenements Goods and Chattles to the use of Abigail Wright Adm^{x} of the Goods & Chattles rights & Creditts of Arthur Wright deceased upon this condicõn That if the said Abigail Wright doe obtaine a judgm^{t} in an action of debt depending in this Court against John Richardson the Defend^{t} That then the said Richardson shall pay the condemnacoñ or deliver himselfe to the prison of the Sheriffe of the County of St Maryes, or they the said Wm Watson & John Glover will doe itt for him, which security was accepted of by the plaintiffes Attorney And the Defend^{t} by Robert Ridgely imparled hereunto untill next Provinciall Court, the same day is given to the plaintiffe also

Robert Carvile ag^{t} Joseph Chew } Com̃and was given to the Sheriffe of Cecil County that he should Attach any the Goods or Chattles of Joseph Chew if they should be found in his bailywick to the Value of five hundred & ninety pounds of tobacco And when he had the same so Attached or any part thereof the same in his custody to keep untill the said Joseph Chew should by himselfe or his Attorney appeare here the fourth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 to answer unto Robert Carvile gent̃ in a plea of debt, which said fourth day of March on which the said Court was by his Lordpps writt of Adjournm^{t} Adjourned untill the fifth day of March then next following And from the said fifth day of March was by his Lordpps writt of Adjournm^{t} Adjourned untill the sixth

day of March then next following, on which said sixth day of March the same Sheriffe maketh returne of the writt aforesaid that he hath Attached the sum̃e of five hundred & ninety pounds of tobacco Liber N N

Emanuel Ratcliffe Ad^{r} Daniel Gover ag^{t} Pope Alvey } Com̃and was given the Sheriffe of St Maryes County, that by good & lawfull men of his bailywick he make known unto Pope Alvey that he be & appeare here the fourth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Anõq̃ Doni 1678 to shew cause if any he have why Execution should not issue forth upon a judgm^{t} obtained against him by Emanuell Ratcliffe Ad^{r} of the Goods & Chattles rights & Creditts which were of the said Daniel the fourth day of April Annoq̃ Doni 1676. for Sixteen hundred pounds of tobacco debt And also Six hundred & three pounds of tobacco costs of suite for which satisfaction remaineth to be made which said fourth day of March on which the said Court was to haue bin held was by his Lordpps writt of Adjournm^{t} Adjourned unto the fifth day of the same And from the said fifth day of March was by his Lordpps writt of Adjournm^{t} further adjourned untill the sixth day of March the next following On which said sixth day of March the same Sheriffe maketh returne of the writt aforesaid, that by vertue thereof he hath made known unto the said Pope Alvey before Thomas Gerard & Thomas Mudd that he be & appeare att the day & place in the same writt required

Afterwards to witt the Eleventh day of March in the yeare aforesaid cometh the said Emanuell by Robert Carvile his Attorney, and prayeth his Execution of the said debt & costs. And the said Pope Alvey although solemnly called came not but Made default Therefore itt is considered that the said Emanuel Ratcliffe Adm^{r} as aforesaid haue Execution against the said Pope Alvey of the debt & costs aforesaid And also pounds of tobacco for his costs & charges sithence laid out and expended And the Defend^{t} in mercy &c p. 812

Richard Royston ag^{t} Symon Irons } The Sheriffe of Talbott County haveing returned a Cepi in these causes, the plaintiffe by Robert Carvile his Attorney moved the Court for speciall baile & itt is granted, whereupon this day to witt the Eleventh day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678. cometh the said Symon Irons with Nicholas Hacket Robert Bryan Charles Hea & John Glover his suerties, who undertooke for the said Symon Irons in the sum̃e of One hundred & forty thousand pounds of tobacco to be

the same ag^{t} the same } the same ag^{t} the same }

Liber N N Leveyed of their & every of their lands & tenements Goods & Chattles to the use of the aforesaid Richard Royston upon this Condicōn, that if the said Richard Royston shall obtaine one or more judgem^{t} or judgem^{ts} in three severall actions of Debt depending in this Court against the said Symon Irons That then the said Symon Irons shall pay the condemnacōn or deliver himselfe to the prison of the Sheriffe of the County of St Maryes, or they the said Nicholas Hacket, Robert Bryan, Charles Hea & John Glover will doe itt for him. Which security was accepted of by the plaintiffes Attorney And the Defend^{t} by Robert Ridgely his Attorney imparled hereunto untill next Provintiall Court, the same day is given to the plaintiffe also

Edward Ball ag^{t} Bernard Johnson } Bernard Johnson late of Calvert County Cooper was Attached to Answer unto Edward Ball of the same County planter, of a plea wherefore by force & armes one Mannour Messuage & two thousand acres of land lying on the South side of Petuxent River in Calvert County aforesaid called Brooke Court Manno^{r} otherwise the Aquasco with the appurtenn̄ces which Elizabeth Letchworth Widdow Mother & Guardian of Joseph Letchworth Sonn & heyre of Thomas Letchworth deceased in right of the said Joseph Demised to the said Edward for a terme which is not yett passt did enter, & him from the possession thereof did Eject & other harmes to him did to the great damage of the said Edward & against his Lordpps peace &c In such manner in this Court itt is proceeded in, that the said Edward Ball Lessee as aforesaid ought to recover against the said Bernard Johnson his damages sustained by occasion of the p^{r}misses But because itt is not known what damage the aforesaid Edward hath sustained by occasion thereof Itt was therefore Comanded the Sheriffe of St Maryes County that he cause to come here to witt the twelfth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678. twelve good and lawfull men of his County diligently to Enquire what damage the aforesaid Edward hath sustained by occasion of the p^{r}misses

Att which said twelfth day of March in the yeare aforesaid cometh as well the said plaintiffe by Robert Carvile his Attorney As the said Defend^{t} by Christopher Rousby his Attorney, And the jurors impannelled being called like wise come to witt Gilbert Turberfield, Leonard Green, Stephen Murty, Wm Thomas, Wm Watson, Tho: Jones, John Glover, Robert Bryan, George Godfrey, Theophilus Turford, Edward Turner & Philip Pocock who being Elected tryed & sworne to say the truth in the p^{r}misses upon their Oaths doe say
p. 813 That the said Edward hath sustained damages by occasion of the p^{r}misses to two thousand five hundred pounds of tobacco Therefore itt is considered that the said Edward Ball Lessee as aforesaid recover against the said Bernard Johnson as well the Sum̄e of two

thousand five hundred pounds of tobacco damages by the jurors aforesaid in forme aforesaid assessed As also Nineteen hundred forty two pounds of tobacco costs of suite And the Defend[t] in mercy &c Liber N N

Wm Gosnell ag[t] Henry Hanslopp } Itt is ordered by the Court by the consent of Thomas Bland Attorney for the plaintiffe & Robert Ridgely Attorney for George Parker of Calvert County gentl, that that the said George be admitted Def[t] who without delay shall appeare by his Attorney aforesaid & receive the declaracōn & plead to the Gen[ll] issue this p[r]sent March Court, & att the tryall the said George shall appeare in his proper person or by his Attorney & shall acknowledge Lease entry & Ejectm[t] or for default judgem[t] shall be entred against the Defend[t] Henry Hanslopp the casuall Ejector And further prosecution be spared against the said Henry untill default be made And itt is further ordered by the Court, that the said Henry shall take noe advantage against the plaintiffe for his not prosecution upon the tryall occasioned by the default aforesaid, but that the said George shall pay the plaintiffe the costs to be taxed by the Secretary And itt is further ordered that the Lessor the plaintiffe may be burthened with the paym[t] of the costs to the Defend[t] which shall be any way taxed by this Court

Solomon Thomas ag[t] Stocket & Stavely Ex[rs] Stiles } Whereas heretofore to witt the ffifteenth day of June in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq Dni 1678 in A suite then depending in this Court between Henry Stocket & James Stavely Exec[rs] of the last Will & testament of Nath[l] Stiles deceased plaintiffes & Solomon Thomas Defend[t] the p[lt] refused to make any further prosecution in the said Suite Whereupon a Nonsuite was awarded against them. Now here att this day to witt the Seventh day of March in the fourth yeare of the said Lordpps Dominion Annoq Doni 1678. cometh the said Solomon Thomas by Robert Carvile his Attorney, & informed the Court that he was unjustly molested by the said Henry & James, & requested an order of this Court for his Costs of suite Whereupon itt is considered by the Court here that the said Solomon Thomas recover against the said Henry Stockett & James Stavely Exec[rs] as aforesaid the sume of pounds of tobacco for his costs & charges by him about his defence in the suite aforesaid laid out & expended

Lord Prop[ry] ag[t] Tho: Todd & al } Ordered by the Court, that a Capias ad satisfaciendum issue forth against the bodyes of Charles James & Arthur Carleton upon what judgm[ts] are allready obtained against them & Thomas Todd by

Liber N N Robert Ridgely Robert Carvile & Mary Ward Exec^x of Matthew Warde deceased

Eliz^a Gott ~ Ordered by the Court, that Elizabeth Gott of Kent County Orphant to Henry Gott deceased Comence any action in this Court by Thomas Parker & his wife being her next of kindred

James Yore Servant to Thomas Doxey of St Maryes County is admitted to Comence his suite in this Court against the said Thomas
p. 814 Doxey for His freedome in forma pauperis

James Thompson ag^t Francis Wyne } Comand was given to the Sheriffe of Charles County, that by good & lawfull men of his bailywick he make known unto ffrancis Wyne that he be & appeare here the fourth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1678. to shew cause if Any he have why Execution should not issue forth upon a judgem^t obtained against him by James Thompson the fourteenth day of April Annoq; Doni 1676 for Seven hundred Sixty five pounds of tobacco damages And also nine hundred ninety two pounds of tobacco costs of suite, for which satisfaction remaineth to be made Which said fourth day of March on which the said Court ought to haue bin held was by his Lordpps writt of Adjournm^t Adjourned untill the fifth day of the same month And from the said fifth day of March was by his Lordpps Writt of Adjournm^t further Adjourned untill the sixth day of March then next following On which sixth day of March the same Sheriffe made returne of the writt aforesaid that he had Summoned the said ffrancis Wyne

Afterwards to witt the tenth day of March in the yeare aforesaid cometh as well the said James Thompson by Robert Ridgely his Attorney as the said ffrancis Wyne by Henry Bonner his Attorney And the said ffrancis by his said Attorney saith that the aforesaid James Thompson ought not to haue Execucōn against him the said ffrancis of the damages & costs aforesaid because he saith that long before the issueing out of the said writt of Scire facias to witt the tenth day of June One thousand Six hundred Seventy six a certaine writt of Capias ad satisfaciendum was issued forth of the Secretaries Office of this Province under the seale of the same Office attested by the Honble Jesse Wharton Esqr Deputy Lievten^t & chiefe Judge directed to the Honble Benjamin Rozer Esqr late Sheriffe of Charles County comanding him to take the said ffrancis Wyne if he should be found in his bailywick & him safely keep so that he haue his body before the Justices of the Provinciall Court the twenty Eighth day of Novemb^r next following to Satisfie

James Thompson the Sum̃e of Seven hundred Sixty five pounds of tobacco a certaine debt for dam̃ages recovered against him As also the sum̃e of five hundred thirty six pounds of tobacco which to the said James was adjudged for his costs & charges expended in a certaine matter of difference between the said James Thompson plaintiffe & the said ffrancis Wyne defend^t in a plea of trespas upon the Case Which said writt of Capias ad satisfaciendum was by the then Sheriffe of Charles County aforesaid executed upon him the said ffrancis Wyne as by the same writt & returne thereof Endorsed thereupon in these words vizt Concordantur Benj^a Rozer Sheriffe a transcript whereof is here in Court produced more fully doth appeare, & this he is ready to averr And therefore the said ffrancis Wine prayes judgm^t if any other or further Execution ought to be granted to the said James Thompson against the said ffrancis Wyne for the said debt of Seven hundred Sixty fiue pounds of tobacco And the Sum̃e five hundred thirty six pounds of tobacco costs of suite Which being read & heard itt seemeth to the Justices here that the said plea of the said ffrancis Wyne in forme aforesaid pleaded & the matter therein Contained are sufficient in Law to retard the said James Thompson from haveing his said Execution against the said ffrancis Wyne Therefore itt is considered that the said writt of Scire facias against the said ffrancis Wyne in forme aforesaid obtained be Abated And that the said ffrancis Wyne recover against the said James Thompson the Sum̃e of Eight hundred & Sixty pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And that the said ffrancis have thereof Execution

Liber N N

p. 815

Robert Peca ag^t Henry Stocket } Com̃and was given to the Sheriffe of Ann Arundell County That whereas Henry Stocket late in the County Court held before the Com̃ission^rs of the County aforesaid by a judgm^t of the said Court recovered against Robert Peca recovered against Robert Peca the sum̃e of two thousand six hundreds pounds of tobacco dam̃ages together with nine hundred forty & one pounds of tobacco costs of suite, for the speedier obtaining of which said dam̃ages and costs the said Henry Stocket prosecuted out of the said County Court a writt of fieri facias to ye said Sheriffe directed; by Vertue whereof the same Sheriffe made returne, that by vertue thereof he had Seized of the Goods & Chattles of the said Robert Peca one white Mare, one young stone horse, one gunn, one feather bedd, two red blanketts, one white hamock & one red Cow & calfe And whereas afterwards to witt the nineteenth day of June in the yeare of our Lord One thousand six hundred Seventy seven the said Robert Peca obtained a writt of Error & Supsedeas out of this Court of the judgem^t aforesaid, & gave security to prosecute the same before the

Liber N N Justices of this Court according to Act of Assembly in that case made And itt was so farr proceeded in this Court, that afterwards to witt the ninth day of October then next following itt was ordered by the Justices of this Court that a writt of Restitucōn of the said White Mare, Stone horse, gunn, feather bedd, red blanketts, hamock, red Cow & Calfe by the same Sheriffe so made as aforesaid be awarded to the said Robert Peca Itt was therefore Comanded the same Sheriffe that the said white Mare, young stone horse, gunn, feather bedd, red blanketts, hamocke, red Cow & Calfe to the said Robert Peca without delay he cause to be restored And delivered Which said fourth day of March on which the said Court ought to have bin held was by his Lordpps writt of Adjournem^t^ adjourned untill the fifth day of March then next following And from the said fifth day of March was by his Lordpps writt of Adjournm^t^ further Adjourned untill the sixth day of the same Month of March, on which said sixth day of March the same Sheriffe maketh returne of the writt aforesaid, that by Vertue thereof on Thursday the twenty seventh day of ffebruary One thousand six hundred seventy eight he did repayre to the plantacōn of the said Henry Stocket Above named, and did take into his Custody & offer to deliver unto the said Robert Peca all the Goods above named, & also the said young horse but gelt Except only the white Mare which since the takeing her from the said Peca by vertue of the fieri facias aforesaid is dead And so by him the said Sheriffe in kinde could not be restored But the said
p. 816 Goods besides & without The said Mare the said Peca into his custody to receive refused & denyed, alleadging the said Goods were not in the like good condicoñ as when the same by vertue of the fieri facias aforesaid were taken out of the possession of the said Peca And therefore the said white Mare &c to the said Peca he could not restore as by the same writt he was comanded

Afterwards to witt the Seventh day of March in the yeare aforesaid came the said Robert Peca by Robert Carvile his Attorney and prayed his Lordpps writt of Inquiry of damages upon the whole matter aforesaid & itt is granted unto him returnable att the next Provincial Court

Att a Provintiall Court held att the City of St Maryes the third day of June in the fourth yeare of the Dominion of the Right Hono^ble^ Charles Lord Baltemore &c Anoq; Doni one thousand six hundred Seventy nine & there continued untill the Seventh day of the same month, On which said third day of June were p^r^sent

The Honble { Philip Calvert Esqr Chancelour
Wm Calvert Esqr Principall Secry
Benj^a^ Rozer Esqr }

Nic: Painter Cl

Then were Col Vincent Lowe Esqr Surveyo^r^ Gen^ll^ & Lievten^t^ Col Henry Darnall Sworne Justices of this Court

John Longden ag^t Tho: Clarke } Thomas Clarke late of Som^rset County was Attached to Answer unto John Longden Marryner in a plea of trespas upon the case. Liber N N

And whereupon the said John Longden by John Rousby his Attorney saith, that whereas he the said John Longden for divers yeares last past was & still is Master of the Shipp Batchelour of Hull in the Kingdome of England dureing which tyme he hath & now doth úse & exercise the trade of M^rchandize^r, & with the said Shipp from the said port of Hull into this Province yearely importing comodities of great Value And also M^rchants Passengers & Servants And whereas the said Thomas the twenty seventh day of August in the yeare of our Lord One thousand six hundred Seventy fiue att Hull aforesaid within the jurisdiction of this Court, in consideracōn that the said John att the special instance & request of him the said Thomas Would carry & transport him the said Thomas in p. 817 his said Shipp from the said Port of Hull into any part of this Province, did assume upon himselfe & to the said John faithfully promise that he the said Thomas would well & faithfully pay & content to the said John so much money for his passage & transportacōn as the same should be reasonably worth when he should be thereunto afterwards in the said Province required And also whereas the said Tho: the twenty sixth day of August in the yeare of our Lord one thousand six hundred Seventy six att Hull aforesaid within the jurisdiction of this Court, in consideracoñ that the said John att the speciall instance & request of him the said Tho: Would carry & transport him the said Thomas & one man Servant of his the said Thomas in his said Shipp from the said Port of Hull into any part of this Province, did also assume upon himselfe & to the said John faithfully promise, that he the said Thomas would well & faithfully pay & content to the said John so much money for his & his said man Servants passage & transportacoñ as the same should be reasonably worth when he should be afterward in the said Province thereunto required And the said John in fact saith, that he giveing creditt to the severall promises & assumpcoñs aforesaid att the speciall instance & request of the said Tho: did in the said yeare One thousand six hundred Seventy five transport & carry him the said Thomas & his said Servant from the said Port into this Province in his said Shipp And in the said yeare one thousand six hundred Seventy six did in like manner transport & carry him the said Thomas & his said Servant from the said Port into this Province And that the said two severall transportacōns of him the said Thomas from the said Port into this Province was reasonably worth the sum̃e of twelve pounds ster^l, And that the transportacōn of his said Servant from the said Port into this Province was reasonably worth the sum̃e of six pounds ster^l, in the whole amounting to Eighteen pounds ster^l, Nevertheles the said Thomas his said severall promises and as-

Liber N N sumpcōns in nowise reguarding but endeavouring & intending him the said John in this behalfe craftily & subtily to deceive & defraud, the said Sum̃e of Eighteen pounds sterl or any parcell thereof hath not paid, or any other satisfaction for the same in any manner made according to his promises & assumpcōns aforesaid although unto this he hath bin thereunto in the said County of Somerset the third day of ffebruary last requested, but the same to him to pay & satisfie hath refused & as yet doth refuse, whereupon he saith that he is the worse & hath dam̃age to the Value of fforty pounds sterl, & thereupon he brings his suite

And the said Thomas Clarke by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the fifth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni One thousand six hundred Seventy nine cometh as well the said plaintiffe as the said Defend^t^ by their Attorney aforesaid And the said Defend^t^ by his said Attorney saith, that he did not assume & promise in manner & form as the said John Longden about against the said Thomas Clarke hath complained And of this he putts himselfe upon the Countrey And the plaintiffe likewise Therefore itt was com̃anded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c Att which said fifth day of June in the yeare aforesaid cometh as well the said John Longden as the said Thomas Clarke by their Attorneys aforesaid And the jurors impannelled being called likewise come to witt John Evans, Stephen Murty Samuell Asbiston, Richard Sweatnam, Anthony Evans, Robert Peca, Nicholas Hacket & Robert Smith, Thomas Lomax, John Watson,
p. 818 Theophilus Turford & Henry Penington who being Elected tryed & Sworne to say the truth in the p^r^misses upon their Oaths doe say that the said Thomas Clarke did assume & promise in manner & forme as the said John Longden above against him hath declared. Which Verdict of the jurors aforesaid being read & heard, the Defend^t^ by his Attorney aforesaid moved the Court here in Arrest of judgem^t^ and for Arresting thereof saith, that the plaintiffe or his Attorney have not sued out a Venire facias in this case directed to the Sheriffe of St Maryes or any other County to Sum̃ons a jury for the said tryall, which is sufficient Error to Arrest the judgm^t^ aforesaid Which being read & heard itt is the judgement of the Court here that the reason aforesaid is insufficient in Law to Arrest the judgem^t^ aforesaid Therefore itt is considered that the said John Longden recover against the said Thomas Clarke as well the Sum̃e of Eighteen pounds sterl dam̃ages by the jurors aforesaid in forme aforesaid assessed As also thirteen hundred sixty four pounds of tobacco costs of suite And the Defendant in mercy &c

Liber N N

Tho: Hagelton ag^{t} Tho: Trueman
Tho: Marsh ag^{t} Stephen Burle
Tho: Bland ag^{t} Edwd Dorsey
John Darnall ag^{t} Wm Harris
Henry Stocket & Ja: Stavely Ex^{rs} Nathl Stiles ag^{t} Henry Johnson & ux: Ex^{x} Nathl Utie
Tho: Bland ag^{t} Edwd Dorsey
Roger Baker ag^{t} Margaret Gittings Ex^{x} John Gittings
Edward Dorsey & ux: ag^{t} Tho: Bland & ux:

These Eight actions are continued untill next Court

John Burnham ag^{t} Tho: Taillor Esqr

Memorandum that this p^{r}sent Court to witt the twelfth day of ffebruary in the third yeare of the Dominion of Charles &c came here in Court John Burnham of Virginia M^{r}chant by Robert Ridgely his Attorney & bringeth here in Court his certaine bill against the Honble Thomas Taillor Esqr one of the Justices of this Court of a plea of trespas upon the case p. 819

And whereupon the said John Burnham by Robert Ridgely his Attorney complaineth, that whereas the said Thomas Taillor the twenty fourth day of July One thousand six hundred seventy & six bought had & received of the said John Burnham one man Negro of the age of Sixteen yeares or thereabouts In consideracōn whereof the said Thomas Taillor did assume upon himselfe & to the said John Burnham did faithfully promise, that he the said Thomas him the said John for the said Negro man the Sum̄e of twenty & five pounds lawfull money of England would well & truely pay when thereunto

Liber N N required Yet the said Thomas his promise & assumpcoñ so as aforesaid made not reguarding, but deviseing & fraudulently intending him the said John of the said Sum̃e of twenty & fiue pounds lawfull money of England to deceive & defraud, the said Thomas him the said John the said Sum̃e of twenty and fiue pounds lawfull money of England hath not paid although often thereunto required, but the same to pay hath denyed & as yet doth deny to the dam̃age of the said John the Sum̃e of Thirty pounds sterl̃ & thereupon he bringeth his suite

And the said Thomas Taillor by Robert Carvile his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Anõq; Doni One thousand six hundred Seventy nine cometh as well the said plaintiffe as the said Defend^t^ by their Attorneys aforesaid And the said Defend^t^ by his said Attorney saith, That he did not assume upon himselfe nor to the said John make such promise as the said John hath above against him declared And of this he putts himselfe upon the Countrey And the said plaintiffe likewise. Therefore itt is com̃anded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c And who neither &c to recognize &c because as well &c On which said sixth day of June in the yeare aforesaid cometh the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise come to witt John Evans, Stephen Murty, Samuel Asbiston, Richard Sweatnam Anthony Evans, Robert Peca, Nicholas Hacket, Robert Smith, Thomas Lomax, John Watson, Theophilus Turford & Henry Penington, who being Elected tryed & sworne to say the truth in the p^r^misses upon their Oaths doe say that the said Thomas Taillor did assume upon himself & to the said John make such promise as the said John above against him hath declared, & they assesse the dam̃age of the said John to twenty five pounds lawfull money of England Therefore itt is considered that the said John Burnham recover against the said Tho: Tailor the aforesaid Sum̃e of twenty five
p. 820 pounds lawfull money of England Dam̃ages by the jurors aforesaid in forme aforesaid assessed As also one thousand fiue hundred forty six pounds of tobacco costs of suite And the Defend^t^ in mercy &c

Wm Crosse ag^t^ Wm Hemsley
David Jones & ux ag^t^ Tho: Todd Ex^r^ Tho: Todd

Liber N N

Richard Royston ag^t Tho: Vaughan	These twelve actions are agreed.
Robert Carvile ag^t John Quigley	
Christopher Rousby ag^t Garret VSweringen & John Lynch	
Christopher Spry & ux: Adm^x John Hales ag^t Robert Large	
Edward Man ag^t Nathl Teighe	
John Price ag^t John Maning	
James Tyer ag^t Tho: Helgar	
Henry Darnall ag^t John Anderson	
Wm Ninsinger ag^t Samuel Maddox	
Clement Hill ag^t James Ringold	

p. 821

Benj^a Hunt ag^t Abigail Wright Ad^x Arthur Wright	Abigail Wright Adm^x of all & singuler the Goods Chattles rights & creditts which were of Arthur Wright deceased was Sum̄oned to Answer unto Benjamin Hunt of a plea that she render unto him the just quantity of foure thousand seven hundred ninety & seven pounds of good well condicōned tobacco & cask which from him she unjustly detaineth

And whereupon the said Benjamin by Robert Ridgely his Attorney saith, that whereas the said Arthur in his life tyme to witt the first day of May one thousand six hundred seventy fiue by his certaine bill obligatory sealed with the seale of the said Arthur & here in Court produced whose date is the day & yeare aforesaid, did acknowledge himselfe to be holden & firmly bound unto the said

Liber N N Benjamin in the just quantity of foure thousand Seven hundred ninety seven pounds of good well condicōned tobacco & cask to be paid att or upon the tenth day of Octob^r next ensueing the date of the same bill obligatory & after upon all demands to the said Benjamin his heyres Exec^rs Adm^rs or certaine Attorney in some convenient place in Choptank river, to the which paym^t well & truely to be made & done the said Arthur did binde himselfe his heyres Exec^rs & Adm^rs firmly by those p^rsents Yet the aforesaid Arthur Wright in his life tyme nor the said Abigail since his death to whom Admcon of all & singuler the Goods Chattles Rights & Creditts which were of the said Arthur in his life tyme since his death hath bin comitted the said sume of foure thousand seven hundred ninety Seven pounds of tobacco to him the said Benjamin according to the tenour of the said bill obligatory although often thereunto required hath not paid, but the same to pay hath denyed & as yet doth deny, whereupon the said Benjamin saith he is damnified & hath losse to the Value of five thousand pounds of tobacco, & thereupon he bringeth his suite

And the said Abigail Wright by Robert Carvile her Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto her, the same day is given to the plaintiffe also.

Att which said next Provintiall Court came as well the said plaintiffe as the said Defend^t by their Attorneys aforesaid And the said Abigail by her said Attorney saith, that the said Benjamin his action aforesaid against her ought not to have because she saith, that she hath fully Administred all the Goods & Chattles which were of the said Arthur att the tyme of his death, So that she hath no Goods or Chattles which were of the said Arthur att the tyme of the death of the said Arthur in her hands to be Administred nor had the day of the issueing forth of the originall Writt of the said Benjamin this she is ready to averr, & demands judgem^t if the said Benjamin his action aforesaid ought to have against her &c. And the said Benjamin saith, that he by any thing before alledged from haveing his
p. 822 action aforesaid ought not to be barred Because he saith that the said Defend^t att the tyme of the purchasing the writt aforesaid by the said plaintiffe in the action aforesaid to witt the thirteenth day of April in the yeare of our Lord One thousand six hundred seventy eight had divers Goods & Chattles which were of the aforesaid Arthur att the tyme of his death att Dorchister County aforesaid in her hands remaining to be Administred to the Value of the debt aforesaid out of which the said plaintiffe the debt aforesaid ought to be satisfied And this he prayes may be enquired of by the Countrey. whereupon day is giuen unto both parties untill next Provinciall Court.

Now here att this day to witt the sixth day of June in the fourth

yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 cometh the said Benjamin Hunt by his Attorney aforesaid & offereth himselfe against the said Abigail Wright in the plea aforesaid, but the said Abigail cometh not but maketh default Therefore itt is considered that the said Benjamin Hunt recover against the said Abigail Wright Adm^{x} as aforesaid as well the sum̃e of ffoure thousand seven hundred ninety & seven pounds of tobacco debt As also Six hundred Seventy two pounds of tobacco costs of suite And the Defend^{t} in mercy &c Liber N N

Edward Man ag^{t} John Atkey	These Eight actions are continued untill next Court
Garret VSweringen Adm^{r} Jno Deery ag^{t} John Quigley	
the same ag^{t} the same	
Garret VSweringen ag^{t} the same	
the same ag^{t} the same	
John Edmondson ag^{t} Henry Mitchell	
Wm Doning ag^{t} John Brooke	
Edward Gibbs ag^{t} Theoph^{s} Turford	

Peter Bayard & Egidius Luke ag^{t} Abigail Wright Ad^{x} Arth: Wright	Abigail Wright Adm^{x} of all & singuler the Goods Chattles & Creditts which were of Arthur Wright deceased was Attached to answer unto Peter Bayard & Egidius Luke of a plea of trespas upon the case

p. 823

And whereupon the said Peter & Egidius by Robert Ridgely their Attorney complaine, that whereas the said Peter & Egidius did Accompt with the said Arthur in his life tyme to witt the twenty Eighth day of Novemb^{r} One thousand six hundred Seventy five of divers & sundry reckonings between them, And

Liber N N upon the makeing upp the said accompt the said Arthur was found in Arreare to the said Peter & Egidius the sum̃e of Eighteen hundred pounds of tobacco In consideracōn whereof the said Arthur did assume upon himselfe & to the said Peter & Egidius did faithfully promise that he the said Arthur when thereunto required would well & truely content & pay the said Sum̃e of Eighteen hundred pounds of tobacco to them the said Peter & Egidius Notwithstanding which the said Arthur in his life tyme nor the said Abigail since his death to whom Admcōn of all & singuler the Goods Chattles rights & Creditts which were of the said Arthur in his life tyme since his death hath bin com̃itted, the said Sum̃e of Eighteen hundred pounds of tobacco to them the said Peter & Egidius according to the promise of the said Arthur in his life tyme to them the said Peter & Egidius so as aforesaid made although often thereunto required hath not paid or satisfied, but the same to pay or satisfie hath denyed & as yet doth deny to the dam̃age of the said Peter & Egidius the sum̃e of Eighteen hundred pounds of tobacco & thereupon they bring their suite

And the said Abigail by Robert Carvile her Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto her, the same day is given to the plaintiffe also

Att which said next Provintiall Court came as well the said plaintiffes as the said Defend^t^ by their Attorneys aforesaid And the said Abigail by her said Attorney saith, that the said Peter & Egidius their action aforesaid against her ought not to have, because she saith that she hath fully Administred all the Goods & Chattles which were of the said Arthur att the tyme of his death, & that she hath no Goods or Chattles which were of the said Arthur att the tyme of the death of the said Arthur in her hands to be Administred, nor had the day of the issuing forth of the originall writt of the said Peter & Egidius, & this she is ready to averr, & demands judgm^t^ whether the said Peter & Egidius their action aforesaid ought to haue against her &c And the said Peter & Egidius say, that they by any thing before alleadged ought not to be barred because they say, the said Defend^t^ att the tyme of the purchaseing the writt aforesaid by the said plaintiffes in the action aforesaid to witt the thirteenth day of April in the yeare of our Lord One thousand six hundred Seventy eight had divers Goods & Chattles which were of the aforesaid Arthur att the tyme of his death att Dorchister County aforesaid in her hands remaining to be Administred to the Value of the debt aforesaid, out of which the said plaintiffes the debt aforesaid ought to be satisfied And this they pray may be enquired of by the Countrey Whereupon day is giuen to both parties untill next Provinciall Court

Now here att this day to witt the sixth day of June in the fourth

yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Donie 1679 come the said plaintiffes by their Attorney aforesaid, & offer themselves against the said Abigail in the plea aforesaid, but the said Abigail cometh not but maketh default Therefore itt is considered that the said Peter Bayard & Egidius Luke recover against the said Abigail Wright Ad^x as aforesaid as well the sum̃e of Eighteen hundred pounds of tobacco damages As also Six hundred twenty Eight pounds of tobacco costs of suite So that Execution thereof cease untill Assetts come to her hands And the Defend^t in mercy

Liber N N p. 824

Lord Prop^ry ag^t Jno Addison
Mich^l Miller & ux ag^t Isaac Gibson
Richd Worcester ag^t Charles Howell
Lord Prop^ry ag^t Matt: Scarborow
Wm Stevens ag^t the same
Benj^a Rozer Esqr agt Edwd Maddox & ux
Robert Carvile ag^t Tho: Bankes
the same ag^t Henry Jowles
John Peirce ag^t Edward Maddox & ux
the same ag^t the same
Michael Taillor ag^t Tho: Price
the same and Ambrose Barnes ag^t the same

These twelve actions are agreed

Liber N N p. 825 Robert Ellys ag^{t} John Quigley } John Quigley late of St Maryes County was Attached to answer unto Robert Ellys of a plea of trespas upon the case

And whereupon the said Robert Ellys by Robert Carvile his Attorny saith, that whereas the said John Quigley upon the twenty eighth day of April in the yeare of our Lord One thousand six hundred Seventy eight being aboard the Shipp George of London in Potomock River in St Maryes County did in consideracōn that the said Robert Ellys att the speciall instance & request of him the said John Quigley would lay out so much tobacco for him the said John Quigley as would buy one Pype of good St Georges or ffyall wine att the store of Charles Gosfright M^{r}chant in Petuxent River in Calvert County (to which place the said Robert was then intended) & would Shipp the same on board the Sloope of John Anderson who was then by him the said John Quigley desired to take in the same, & to carry the said pype of wine when bought & Shipped as aforesaid to him the said John Quigley wheresoever he should be either att Wiccocomico within this Province or att Nominy in Virginia or elsewhere in Potomock or Wiccocomico Rivers, he the said John Quigley did then assume upon himselfe & to the said Robert Ellys faithfully promise y^{t} he the said John Quigley would well & truely content & pay unto the said Robert Ellys when thereunto required so much tobacco as the said Robert Ellys should reasonably deserve for the buying of the said wine & Shipping the same as aforesaid And the said Robert Ellys in fact saith, that he trusting to the faire speeches & promises of the said John Quigley, did buy for the said John Quigley one pipe of good St Georges wine, & caused the same to be marked .J Q. & did on the third day of May one thousand six hundred seventy eight Shipp the same on board the Sloope of the said John Anderson for the use of the said John Quigley to be carryed & delivered to the said Jno Quigley according to his order & direction aforesaid, for the buying of which wine & the care of Shipping itt as aforesaid he saith he doth well deserve the sum̄e of two thousand fiue hundred pounds of tobacco Yet notwithstanding the said John Quigley his promise & assumpcōn aforesaid little reguarding, but deviseing & fraudulently intending him the said Robert in this behalfe craftily & subtily to defraud & deceive, the said sum̄e of two thousand five hundred pounds of tobacco to him the said Robert Ellys hath not paid or satisfied though often thereunto requested, but the same to pay hath hitherto denyed & refused & still doth deny & refuse to the dam̄age of the said Robert Ellys three thousand pounds of tobacco & thereupon he bringeth his suite

And the aforesaid John Quigley by Robert Ridgely his Attorney doth come & defend the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court, & itt is granted unto him, the same day is giuen to the plaintiffe also

Att which said next Provintiall Court came as well the said plaintiffe as the said Defend^t by their Attorneys aforesaid And the said John Quigley by the said Attorney saith that he did not assume & promise in manner & forme as the said Robert Ellys above against him hath complained And of this he putts himselfe upon the Countrey, whereupon day is giuen to both parties untill next Provintiall Court

Liber N N

p. 826

Now here att this day to witt the sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 cometh as well the said Robert Ellys as the said John Quigley by their Attorneys aforesaid And the said John by his said Attorney saith that he is content that judgm^t passe against him for the aforesaid Sum̃e of two thousand fiue hundred pounds of tobacco Therefore itt is considered by the Court here, that the said Robert Ellys recover against the said John Quigley the aforesaid sum̃e of two thousand five hundred pounds of tobacco dam̃age As also twelve hundred forty Six-pounds of tobacco costs of suite And the Defend^t in mercy &c

Edward Pynn ag^t Jonathan Sibrey } Jonathan Sibrey late of Cecil County gent^l was Attached to Answer unto Edward Pynn of a plea of trespasse upon the case

And whereupon the said Edward by Christopher Rousby his Attorney complaineth, that whereas the said Jonathan the Sixteenth day of July One thousand six hundred seventy six, in consideracõn that he the said Edward att the speciall instance & request of him the said Jonathan, (being then Sheriffe of Cecil County aforesaid) would execute the place or office of Under Sheriffe of the said County under him the said Jonathan for the space or terme of Eighteen Months then next following, did assume upon himselfe & to the said Edward did faithfully promise that he the said Jonathan would well & truely pay unto the said Edward such a quantity & so much good tobacco & cask as the said Edward should therefore reasonably deserve And the said Edward in fact saith, that he trusting to the promise and assumpcõn aforesaid of him the said Jonathan did Execute the said place or office of Under Sheriffe of the said County under the said Jonathan for the said space or terme of Eighteen months then next following And dureing that tyme did execute severall writts & returne the same att St Maryes And did receive severall quantities of publick & other tobacco on the behalfe of the said Jonathan, a particuler accompt of which said writts so Executed by the said Edward And also of the said severall quantities of tobacco received as aforesaid by the said Edward is here in Court produced, for which said service the said Edward did reasonably deserve the Sum̃e of nine thousand pounds of tobacco Yet the said Jonathan his promise & assumpcõn aforesaid in that

Liber N N behalfe little reguarding, but plotting & contriveing him the said Edward of the said Nine thousand pounds of tobacco craftily & subtily to deceive, the same nine thousand pounds of tobacco unto him the said Edward though often thereunto required hath not paid, but the same to pay hath denyed & still doth deny, whereupon the said Edward saith he is the worse & hath damage to the Value of twelve thousand pounds of tobacco & thereupon he bringeth his suite

p. 827 And the said Jonathan Sibrey by Robert Carvile His Attorney cometh & defendeth the force & injury when &c, & prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the pltt also.

Now here att this day to witt the Seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679. cometh as well the said plaintiffe as the said Defendt by their Attorneys aforesaid And the said Defendt by his said Attorney saith that he did not assume upon himselfe or to the said Edward make such promise as the said Edward hath above imposed upon him, & of this he putts himselfe upon the Countrey And the said plaintiffe likewise. Therefore itt was Comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c On which said seventh day of June in the yeare aforesaid cometh the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise come to witt John Evans, Stephen Murty, Samuel Asbiston, Richard Sweatnam Anthony Evans, Nicholas Hacket, Robt Smith, John Watson, Theophilus Turford, James Harrison, Elias Beech & Robert Graham who being Elected tryed & sworne to say the truth in the prmisses upon their Oaths doe say that the said Jonathan Sibrey did assume upon himselfe & to the said Edward make such promise as the said Edward hath above imposed upon him. And they assesse the damage of the said Edward to nine thousand pounds of tobacco Therefore itt is considered that the said Edward Pynn recover against the said Jonathan Sibrey as well the sume of Nine thousand pounds of tobacco damages by the jurors aforesaid in forme aforesaid assessed As also
pounds of tobacco costs of suite And the Defendt in mercy &c.

Cuninghams Exrs agt Saml Leadbeater } Samuell Leadbeater late of Charles County Mrchant was Sumoned to Answer unto Thomas Carlisle John Watson Wm Hatton & Robert Graham Execrs of the last Will and testamt of John Cunningham deceased of a plea that he rendr unto them his reasonable accompt for the tyme he was Receiver of the tobaccoes of him the said John Cuningham in his life tyme which to them to render he ought.

And whereupon the said Thomas John W^m^ & Robert by Kenelm Cheseldyn their Attorney say, that whereas the said Samuell Leadbeater the day of in the yeare of our Lord one thousand six hundred Seventy six by the hands of one Hugh Reynolds Master of the good Shipp Ann & Elizabeth of Liverpoole received Sixteen hogsheads of tobacco containing neat the Sum̃e of Six thousand foure hundred pounds of tobacco, to render a reasonable accompt thereof to the said John Cuningham when thereunto required Neverthelesse the said Samuell Leadbeater although often required his reasonable accompt to the said John in his life tyme of the same hath not rendred nor to the said Thomas John William & Robert since his death Ex^rs^ of the last Will & testam^t^ of the said John Cuningham but the same to him to render hitherto hath & still denies to render to the dam̃age of them the said Tho: Wm John & Robert the Sum̃e of tenn thousand pounds of tobacco and thereupon they bring their suite~And the said Thomas John W^m^ & Robert bring here in Court the Letters testamentory of him the said Cuningham that itt may appeare to the Court here that they are Ex^rs^ of the said John of the testam^t^ aforesaid, & thereupon to haue Administracōn. Liber N N p. 828

And the said Samuel Leadbeater by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c & prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is giuen to the plaintiffes also

Now here att this day to witt the Seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 cometh as well the said plaintiffes as the said Defend^t^ by their Attorneys aforesaid And the said Defend^t^ by his said Attorney saith, that as to the said Sixteene hogsheads of tobacco containing Six thousand foure hundred pounds of tobacco which the aforesaid plaintiffes above suppose him the said Samuel to haue received by the hands of the aforesaid Hugh Reynolds & by the appointm^t^ of the said John Cuningham the said Samuel saith that he never was Receiver of the same tobaccoes of the said John Cuningham by the hands of Hugh Reynolds as the said plaintiffes by their declaracōn aforesaid above thereof supposeth And of this he putts himselfe upon the Countrey And the said plaintiffes also. Therefore itt is comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c, and who neither &c to Recognize &c because as well &c On which said Seventh day of June in the yeare aforesaid cometh the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise come to witt John Evans, Stephen Murty, Samuel Asbiston, Richard Sweatnam, Anthony Evans, Nicholas Hacket, Robert Smith, Henry Penington, Theophilus Turford, James Harrison, Robert Toate & Elias Beech who being Elected tryed & Sworne to say the truth in

Liber N N the p^r^misses, the plaintiffs although solemnly called to receive the Verdict of the jurors aforesaid came not Therefore itt is considered that a Nonsuite be awarded against them And that the p^ltts^ take nothing by their writt, but be in mercy for their false claime And that the Defend^t^ goe thereof without day

Whereas Samuell Leadbeater by his Letter of Attorney dated the Sixteenth day of March One thousand six hundred Seventy six hath Deputed Constituted & empowered me to be his Attorney And whereas there are severall actions comenced att the Provintiall Court against the said Leadbeater I doe hereby authorize & empower you Robert Ridgely to be my Attorney in the said Court on behalfe of the said Leadbeater, & to appeare there, & defend an action comenced against the said Leadbeater in the said Court by the Ex^rs^ of Cuningham And for so doeing this shall be yor warrant Wittnes my hand & Seale this ninth of October One thousand six hundred seventy Eight

John Hatch (sealed)

To Robert Ridgely one of the Attorneys
of the Provintiall Court
Witnes John Fawkes Henry Johnson

p. 829 Ralph Fishborne ag^t^ Humph: Davenport } Memorandum that the two & twentieth day of March in the fourth yeare of the Dominion of Charles &c Annoq; Doni 1678. came Ralph ffishborne by Robert Ridgely his Attorney before the Honble Philip Calvert Esqr Chancelour of this Province, & prayed his Lordpps writt of Error to the said Ralph ffishborne to be granted to the Comissioners or Justices of his Lordpps County Court of Talbot County to be directed to require them the said Comission^rs^ of the said County Court of Talbot County to send before his Lordpps Justices of his Provintiall Court att the City of St Maryes the third day of June then next following the tenor of the Record proceedings & judgem^t^ of the said Talbot County Court in a case lately depending between Humphry Davenport plaintiffe & the said Ralph ffishborne Defend^t^ & itt is granted unto him. the tenour of which said writt follows in these words

Charles &c To our Comission^rs^ of our County of Talbot greeting Because in the Record & proces as also in the rendring of judgem^t^ before you in our said Court against Ralph ffishburne att the suite of Humphrey Davenport mannifest Error hath happened to the great dāmage of the said Ralph ffishborne as by the great complaint of the said Ralph we haue received, we willing that the Errors (if any be) should in due manner be corrected & full & speedy Justice to be done to the said parties in this behalfe, doe

comand you that the Record & proces of the said judgm^t with all things touching the same before our Justices of our Provintiall Court to be held att our City of St Maryes the third day of June next under your hands & Seales distinctly & openly you send, that inspection being had of the Record & proceedings therein we may cause further to be done what of right & according to the Lawes & Constitucōns of this our Province ought to be done therein And that you have there this writt Wittnes our seale att our City of St Maryes the two & twentieth day of March in the fourth yeare of our Dominion Annoq̃ Doni One thousand six hundred Seventy eight. Liber N N

Att which said third day of June in the yeare of our Lord One thousand six hundred Seventy nine Mr Richard Woolman, Capt Philemon lLoyd, Mr Anthony Mayle, & Capt George Cowley Comission^rs of the said Talbot Court to his Lordpps Justices of the Provintiall Court att the City of St Maryes the transcript of the Records of the proceedings & judgem^t of the said Talbot County Court under their hands & seales haue sent according as by the said writt they were Comanded, The tenour whereof followeth in these words Viz^t

Att a Court holden for Talbot County by his Lordpps Justices of the peace the Seventeenth day of Septemb^r in the third yeare of the Dominion of Charles &c Annoq̃ Donie One thousand six hundred Seventy eight. Justices p^rsent

Mr Richard Woolman
Capt Philemon lLoyd
Mr Philip Stevenson
Mr Anthony Mayle
Capt George Cowley.

Humph: Davenport p^lt
Ralph ffishborne Def^t

In a plea of trespas upon case.

Talbott ss p. 830

Ralph ffishborne of the County aforesaid was Attached to answer unto Humphry Davenport that he render the said Humphry twelve hundred & thirty pounds of good sound tobacco & cask which he unjustly detaineth

Whereupon the said Humphrey by James Coursey his Attorny saith, that the said Ralph stands justly indebted to the said Humphrey in the sūme of twelve hundred & thirty pounds of tobacco as by accompt thereof ready to be produced in Court may appeare Notwithstanding the said Ralph the said tobacco nor any part thereof to the said Humphry hath paid to the damage of the said Humphrey two thousand pounds of tobacco, & thereupon he bringeth his suite

And the aforesaid Ralph Fishborne by Thomas Vaughan his Attorney comes & defends the injury &c requireth that the said Humphrey may prove his accompt

Liber N N Humphrey Davenport makes oath to the following acc^t

August 1676	℔ tob:
Ralph ffishborne is D^r	
To three journeys to his house & attendance there	600.
To seven glisters att 30^℔	210
To foure Cordial Julipps	150
To five purges att 30^℔	150
To foure dosses of Cordial Elect att 30^℔	120
	1230

The Court hath ordered that Ralph ffishborne pay unto Humphrey Davenport twelve hundred & thirty pounds of tobacco with costs of suite.

Richd Woolman (sealed)
Philemon lLoyd (sealed)
Anth° Mayle (sealed)

True copy by me Wm Hemsley Clerke

And afterwards to witt the fourth day of June in the yeare aforesaid att a Provintiall Court held att the City of St Maryes before his Lordpps Justices thereunto assigned, came the aforesaid Ralph ffishborne by the said Robert Ridgely his Attorney assigneth for Errors as followeth.

1 That in the Record & proces aforesaid, & in the rendring of Judgement aforesaid itt is manifestly erroneous in this, in that itt does not appeare that the said Ralph ffishborne was either Attached or Sum̃oned to appeare att the said Court of Talbot County to answer the action of the said Humphry Davenport

2. Itt is Erred in this in that itt is said in the Record & proceedings aforesaid, Humphrey Davenport plaintiffe Ralph ffishborne Defend^t in a plea of trespas upon the case And yet the plaintiffe declares against the Defend^t in debt in the detinet

3. Itt is Erred in this, in that itt is said in the Record & proceedings aforesaid that the said Ralph ffishborne stood justly indebted to the said Humphrey twelve hundred & thirty pounds of tobacco, but never alleadges for what the same was, but referrs itt to an account ready to be proved, in which said Account the plaintiffe charges the Defend^t for glisters, julipps, purges, cordiall Electuaryes &c and never ascertaines what the same are compounded or made of, by which the Value might haue appeared to the Court or jury to have adjudged the same

4. Itt is Erred in this, in that itt is said that the said Ralph has not
p. 831 paid the said twelve hundred & thirty pounds of Tobacco nor any part of itt, but yet does not alleadge or averr that he ever demanded itt

5 Itt is Erred in this, in that there is no plea, no issue joyned, to

putt the matter in question in tryall upon the Court or County nor is itt Recorded that the Defend^{t} lett the judgement goe by default Liber N N

6 Itt is Erred in this, in that itt is Said he made Oath to his account but not that he made Oath that he never received any part or parcell of itt which he ought to haue sworne, otherwise his Oath in his own case is not warranted by Law

7. Itt is erred in this, in that the said account is for three journeys to his house & attendance there six hundred pounds of tobacco, but never alleadges what to doe, nor does the plaintiffe as he ought in such case averr in this Declaracoñ he was a Doctor or Chirurgion or person used or accustomed to attend sick persons, that he had skill in Phisick & was used & wont to Administer Phisick in this Province, & so that the Defend^{t} desired him to attend him & to Administer Phisick &c And then should haue laid the Defend^{ts} assumpsit in consideracoñ of such attendance or Phisick &c And in fact averred the Administring thereof And in his account ascertained what the same was, & so declared upon a quantum meruit, & so have averred a demand & the Defend^{ts} refusall of pay before he had comenced his suite

Whereupon the said Ralph ffishborne by Robert Ridgely his Attorney aforesaid here came, and the said Ralph ffishborne saith that in the Record & proces & also in the rendring of judgem^{t} aforesaid itt is manifestly Erred, & assigneth for Errors as afore, & prayeth that the said judgem^{t} for these Errors & others in the said Record & proces aforesaid be reversed revoaked adnulled & be held for nothing Which Record proces & Errors aforesaid being read & heard, the said Humphry Davenport by Robert Carvile his Attorney saith, that in the Record & proces aforesaid And also in the rendring judgem^{t} aforesaid itt is in nothing Erred And prayeth that the aforesaid Justices doe proceed as well to the examination of the Record & proces aforesaid as to the aforesaid matter for Errors assigned And the said Ralph ffishborne as above prayeth likewise And hereupon the Record & proces aforesaid to the rendring the judgem^{t} thereupon And the aforesaid causes & matters above by the said Ralph for Errors assigned being seen, & by the Justices here fully understood & diligently examined And for that itt appeareth to the same Justices by the second reason for Error assigned that in the Record & proces aforesaid as also in the rendring of judgem^{t} aforesaid itt is manifestly Erred Therefore itt is considered this day to witt the seventh day of June in the yeare aforesaid that the judgm^{t} aforesaid for the Errors in the Record & proces aforesaid are revoaked adnulled & altogether held for nothing And that the said Ralph fishborne unto all things which he by occasion of the judgm^{t} aforesaid hath lost be restored And that the said Ralph ffishborne recover against the said Humphrey Davenport the sum̃e of Eighteen hundred twenty seven pounds of tobacco costs of suite

Liber N N p. 832 Jonathan Sibrey agt Henry Penington } Henry Penington late of Cecil County was Attached to answer unto Jonathan Sibrey Sheriffe of the County of Cecil of a plea of trespas of the case

And whereupon the said Jonathan by Robert Carvile his Attorney saith, that whereas Thomas Taillor of Ann Arundell County Esqr upon the twenty sixth day of Decembr in the yeare of our Lord One thousand six hundred seventy seven did obtaine out of the Court of Cecil County Court two severall Executions upon two severall judgemts formerly had in the said Cecil County Court against Joseph Chew of the said County of Cecil for the sume of two thousand ninety five pounds of tobacco debt & three hundred seventy fiue pounds of tobacco costs of suite And the other for One thousand & twenty pounds of tobacco debt & three hundred thirty five pounds of tobacco costs of suite to the said Jonathan then & yet Sheriffe of Cecil County directed returnable the second tuesday in January then next, whereby the said Jonathan was willed & required to take into Execucōn the body of the said Joseph Chew & him in safe custody keepe untill he should satisfie the abovesaid debts & Charges By vertue of which said Executions the said Jonathan did upon the sixth day of January One thousand six hundred seventy seven before the returne of the same writts att the house of the said Henry Penington in Sassafrax River in Cecil County, take the said Joseph Chew in Execucōn for the said severall debts & costs aforesaid which in the whole doe amount unto the sume of three thousand Eight hundred twenty five pds of tobacco And the said Joseph Chew being so in Execution, & in the custody of the said Jonathan, that said Henry Penington in consideration that the said Jonathan att the speciall instance & request of him the said Henry would deliver unto him the said Henry Penington the custody of the body of him the said Joseph Chew, & permitt & suffer him the said Joseph Chew under the custody of him the said Henry to goe abroad to the next Cecil County Court being the tuesday following there to looke after his debts, & gett in the sume wherewith to satisfie the debts judgements and Executions aforesaid, he the said Henry did then & there assume upon himselfe & to the said Jonathan faithfully promise that he the said Henry would att the then next Court held for the said Cecil County on the tuesday following as aforesaid render upp unto the said Jonathan Sibrey in safe Custody the body of the said Joseph Chew unlesse he did satisfie & pay the severall judgemts & Executions aforesaid And the said Jonathan in fact saith, that he trusting to the promises of the said Henry so as aforesaid made, did then & there deliver unto the said Henry the custody of the said Joseph Chew to be by him safe kept untill he paid the Executions aforesaid or surrendred his body to prison aforesaid Yet notwithstanding the said Henry his promise & assumpcoñ afore-

said little reguarding, but deviseing & plotting how to defraud & deceive the said Jonathan & to lay the burthen of the said Executions upon the said Jonathan, & to defraud him of his due ffees for the said Executions, he the said Henry without the comand of the said Jonathan the said Joseph before the comeing of the said Court day for Cecil County aforesaid where he would freely & voluntarily did suffer to goe att large & escape, by reason of which Escape the said Jonathan hath bin compelled to pay the said severall Sumes of tobacco aforesaid amounting to the Sume Of three thousand Eight hundred twenty five pounds of tobacco And of his remedy for the recovery of the said Sume as also of his ffees for the Execucons aforesaid against the said Joseph Chew to be had hath no meanes, who from the tyme of his Escape aforesaid to places to the said Jonathan unknown did withdraw himselfe & lay hid & altogether obscured to the damage of the said Jonathan six thousand pounds of tobacco and thereupon he bringeth his suite

Liber N N

p. 833

And the said Henry by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imple hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679 cometh as well the said Jonathan Sibrey as the said Henry Penington by their Attorneys aforesaid And the said Henry by his said Attorney saith that he did not assume & promise in manner & forme as the said Jonathan above ag^t him hath declared, & of this he putts himselfe upon the Countrey, & the plaintiffe also. Therefore itt was comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to Recognize &c because as well &c which said jurors being Sumoned, the plaintiffe refused to make any further prosecution against the Defend^t in the plea aforesaid Therefore itt is considered that the said Jonathan Sibery take nothing by his writt, but be in mercy for his false claime And that the said Henry Penington recover against the said Jonathan Sibrey the Sume of Nine hundred forty three pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said Henry may have thereof Execution

Mary Warde Ex^x
Matthew Warde
ag^t
John Quigley

John Quigley late of St Maryes County otherwise called John Quigley of St Maryes County gent^l was Sumoned to Answer unto Mary Warde Exec^x of the last Will and testam^t of Matthew Warde of a plea that he render unto her the Sume of ffoure hundred pounds of tobacco which from her he unjustly detaineth

And whereupon the said Mary by Robert Carvile her Attorney

Liber N N saith, that whereas the said John Quigley upon the Twenty third day of Novemb^{r} one thousand six hundred Seventy five by his certaine bill or writeing obligatory Sealed with the Seale of him the said John & here in Court produced whose day is the day & yeare above written, did confesse himselfe to owe & stand firmly indebted unto the said Matthew Warde in the full & just Sum̃e of ffoure hundred pounds of good sound M^{r}chantable tobacco & caske upon demand Yet notwithstanding the said John the said Sum̃e of ffoure hundred pounds of tobacco to the said Matthew in his life tyme, or to the said Mary since his death though often thereunto requested hath not paid or satisfied, but the same to pay & satisfie hath hitherto denyed & still doth deny & refuse to the dam̃age of the said Mary Eight hundred pounds of tobacco & thereupon she bringeth her suite And the said Mary bringeth here into Court her Letters testamentory
p. 834 by which itt may appeare to the Court here that she is Exec^{x} And hath Administration &c

And the said John Quigley by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the plaintiffe likewise

Att which said next Provintiall Court came the said parties by their Attorneys aforesaid And the said John Quigley by his said Attorney saith, that the aforesaid Mary ought not to have her action aforesaid against him, because he saith that he the said John Quigley the day of after the date of the same bill obligatory in the life tyme of the said testator & att the speciall instance & request of the said testator the said foure hundred pounds of tobacco to the Hon^{bl} William Calvert Esqr Secretary of this Province for the accompt of the said testator did pay & satisfie And this he is ready to averr, whereupon he prayes judgem^{t} if the aforesaid p^{lt} her action aforesaid against him ought to have And the said Mary by her said Attorney saith that she ought not to be barred of her action aforesaid, for that the said Mary saith that the said John did not pay the aforesaid ffoure hundred pounds of tobacco in satisfaction of the aforesaid bill And this he [*sic*] prayes may be inquired of by the Countrey And the said John Quigley likewise, whereupon day is given to both parties untill next Provintiall Court

Now here att this day to witt the Sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 cometh the said Mary Warde by her Attorney aforesaid & offereth her selfe against the said John Quigley in the plea aforesaid, but the said John cometh not but maketh default Therefore itt is considered that the said Mary Ward Ex^{x} as aforesaid recover against the said John Quigley as well the Sum̃e of ffoure hundred pounds of tobacco debt As also five hundred Seventy two pounds of tobacco costs of suite And the Defend^{t} in mercy &c

Liber N N

John Edmondson & Francis Whitwell ag^t Richard Baily; ffrancis Hill ag^t Mary Tilghman — Unlesse the Defend^ts appeare next Court, the Sheriffe of Talbot County amerced

Wm Rosewell ag^t Robert Toate; the same ag^t the same — The Defend^t by Nehemiah Blakiston his Attorney appeares & imparles untill next Court

p. 835

Thomas Sprigg ag^t Edward Mann — Edward Mann late of Talbot County otherwise called Edward Man of Talbot County in the Province of Maryland planter was Sumōned to Answer unto Thomas Sprigg of a plea that he render unto him ffoure thousand pounds of tobacco in cask which to him he oweth & unjustly detaineth

And whereupon the said Thomas Sprigg by Charles Boteler his Attorney complaineth, that whereas the said Edward Man upon the twenty fourth day of October Annoq; Doni One thousand six hundred Seventy seven, by his certaine writeing Obligatory Sealed with the Seale of him the said Edward & here in Court produced whose date is the day & yeare aforesaid, did acknowledge himselfe to be indebted unto Mr Thomas Sprigg of Petuxent of the said Province ffoure thousand pounds of tobacco in cask in some convenient place for Shipping in Tredaven att or before the twentieth day of January next ensueing the date hereof To wch paym^t the said Edward Mann did thereby oblige himselfe his heyres Exec^rs & assignes to make good paym^t accordingly being for two Mulattoes received of him between five & six yeares old or thereabouts But in case the said Man doe deliver to Mr Sprigg one man & one woman Servant or two men Servants of the age of about Sixteen or Eighteen yeares between this and the abovesaid tyme Then that p^rsent Obligacōn to be void & of none Effect, otherwise to stand in full force & Vertue Notwithstanding which the said Edward though often thereunto required one man Servant & one woman Servant nor two men Servants of the age of about Sixteen or Eighteen yeares old unto the said Thomas Sprigg hath not paid nor delivered Whereupon action accrueth unto him to have & recover of the said Edward Man the Sum̄e of ffoure thousand pounds of tobacco according to the tenour forme & Effect of the said writeing And the said Thomas further saith that for want of the Servants aforesaid he is damnified

Liber N N & hath losse to the Value of Six thousand pounds of tobacco and thereupon he brings his suite

And the said Edward Man by William Crosse his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the p^{ft} also.

Now here att this day to witt the Sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 cometh the said Thomas Sprigg by his Attorney aforesaid And offereth himselfe against the said Edward Man in the plea aforesaid, but the said Edward cometh not but maketh default Therefore itt is considered that the said Thomas Sprigg recover against the said Edward Mann as well the Sum̃e of ffoure thousand pounds of tobacco debt As also ffive hundred & Sixty pounds of tobacco costs of Suite And the Defend^{t} in mercy &c

Wm Gaskin
ag^{t}
Wm Hemsley
Philip Pocock
ag^{t}
Tho: Smith

These two actions are dismissed by the Court the plaintiffes nor their Attorneys appearing to prosecute

p. 836 Tho: Jones
ag^{t}
Margaret Rochford Ex^{x}
Michael Rochford
Margaret Rochford Ex^{x}
Michael Rochford
ag^{t}
Gerard Slye Ad^{r}
Richard Chillman
the same
ag^{t}
the same
Jonathan Sibrey
ag^{t}
Margaret Rochford Ex^{x}
Michael Rochford

These foure actions abate, Margarett Rochford being intermarryed

Upon the peticõn of John Welsh late high Sheriffe of Ann Arundell County, that he was high Sheriffe of the County of Ann Arundell for three years last past, dureing which tyme Doctor Wm Jones late of the County aforesaid deceased was indebted unto him as Sheriffe for Leavyes Rent Chancelours Secretaryes & Sheriffes ffees (as by the accompt annnexed) the Sum̃e of three thou-

sand foure hundred & sixty six pounds of tobacco more then what he ever received of him the said Jones, who dying the said Sume in his debt, Colonell Wm Burges Administred upon the said Jones's Estate, who refuses to pay him without an order of this Court That he never haveing any other dealings with the said Jones but for publick dues which runn upon Execucōn by Act of Assembly, & he being ready to make Oath to the annexed acc^t^ & haveing no need to bring his action against the Adm^r^ for that which the Law hath given Execution, humbly prayes an Execucōn against the Goods of the said Jones in the hands of the said Burges directed to the now Sheriffe of Ann Arundell County to Levy the said three thousand foure hundred Sixty pounds of tobacco of the said Jones's Goods & pay the same Which being read & heard, & the said William Burges Adm^r^ of the said Wm Jones being present in Court, itt is ordered this day to witt the Seventh day of June in the third yeare of the Dominion of Charles Lord Baltemore &c Anoq̃ Doni 1679. that the Sume of Seventeen hundred fifty seven pounds of tobacco due from the said Wm Jones Anno 1678. as followeth vizt To five Leavyes Seven hundred forty two pounds of tobacco. To the Honble Chancelour One hundred thirty six pounds of tobacco. To the Honble Secretary three hundred twenty Eight pounds of tobacco To the rent of three hundred & fifty acres of land forty two pounds of tobacco To the rent of One hundred acres of land called Timber Neck twelve pounds of tobacco. To the rent of Eight hundred acres of land called Waterford One hundred ninety two pd̃s of tobacco, & three hundred & fiue pd̃s of tobacco for Sheriffes ffees be Levyed of the Goods & Chattles of the said Wm Jones & paid to the said John Welsh And that the said John Welsh be left to due course of Law for the remainder of his account Liber N N

James Lewis ag^t^ Miles Grey } The jurors finding for the plaintiffe in this cause, foure hundred pounds of tobacco damāges with costs of suite The Defend^t^ by Robert Carvile his Attorney moved in Arrest of judgm^t^ whereupon day is given to both parties untill next Provintiall Court p. 837

Mary Roe Ex^x^ Edward Roe ag^t^ Nicholas Hacket
Richard Royston ag^t^ Symon Irons
the same ag^t^ the same
} These five actions are stayed by Injunction untill the p^lts^ file their Answers in Chancery to the Defend^ts^ bills, or untill further order of this Court

Liber N N

the same
ag^{t}
the same

John Quigley
ag^{t}
Marke Cordea

Henry Stocket &
James Stavely Ex^{rs}
Nathl Stiles
ag^{t}
John Ireland

John Ireland late of Kent County Chirurgion otherwise called John Ireland of Baltemore County was Sum̃oned to answer unto Henry Stocket & James Stavely Adm^{rs} of all and singuler the Goods & Chattles rights & Creditts which were of Nathaniel Stiles deceased of a plea that he render unto them the full & just Sum̃e of twenty two hundred ninety & six pounds of good sound M^{r}chantable tobacco & caske which from them he unjustly detaineth

And whereupon the said Henry & James by Robert Ridgely their Attorney say, that whereas the said John Ireland the twenty fifth day of June One thousand six hundred Seventy six by his certaine bill obligatory Sealed with the Seale of him the said John & here in Court produced whose date is the day & yeare aforesaid, did binde himselfe his heyres Ex^{rs} & Adm^{rs} to pay or cause to be paid unto the said Nathaniel Stiles his heyres Exec^{rs} Adm^{rs} or assignes the full & just Sum̃e of two thousand two hundred ninety six pounds of good sound M^{r}chantable tobacco in cask att or upon all demands after the tenth day of October next ensuing the date of the same bill obligatory in some convenient place in the County aforesaid Notwithstanding which the said John Ireland the said Sum̃e of two thousand two hundred ninety six pounds of tobacco to him the said Nathaniel in his life tyme nor to the said Henry & James since his death (to whom Admcōn of all and singuler the Goods Chattles Rights & Creditts which were of the said Nathaniel since his death hath been com̃itted) although often demanded hath not paid, but the same to pay hath denyed & as yet doth deny in retardacōn of the Admcōn aforesaid of the said Nathaniel, whereupon the said Henry
p. 838 & James say they Are damnified & have losse to the Value of ffoure thousand pounds of tobacco & thereupon they produce their suite. And the aforesaid Henry & James bring into Court here the letters of Admcōn to them granted of the Estate of the said Nathaniel that itt may appeare to the Court here that thereof they have the Admcōn

And the said John Ireland by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is giuen to the p^{ltts} also.

Now here att this day to witt the Sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni

1679. cometh as well the said p^{ffs} as the said Defend^{t} by their Attorneys aforesaid And the said Defend^{t} by his said Attorney saith that he is not informed by the said Defend^{t} of any answer by him to the p^{ffs} action to be given, & nothing else saith thereupon, by which the aforesaid p^{ffs} remaine against the said Defend^{t} thereof wholy undefended Therefore itt is considered that the said Henry Stocket & James Stavely Adm^{rs} as aforesaid recover against the said John Ireland as well the sum̃e of two thousand two hundred ninety & six pounds of tobacco debt As also five hundred forty foure pounds of tobacco costs of suite And the Defend^{t} in mercy &c Liber N N

Robert Ridgely ag^{t} Samuell Leadbeater } Samuell Leadbeater late of Charles County M^{r}chant was Attached to Answer unto Robert Ridgely gent^{l} one of the Attorneys of this Court according to the liberties & priviledges &c allowed of a plea of trespas upon the case

And whereupon the said Robert Ridgely in his proper person complaineth, that whereas the said Samuell the twenty eighth day of November one thousand six hundred Seventy six in consideracōn that the said Robert would be retained for the said Samuell as Attorney of the said Samuell in all his busines that should happen either before the Judge of probate of Wills touching the Will of John Cuningham M^{r}chant deceased or in any other Court, he did assume upon himselfe, & to the said Robert did faithfully promise that he the said Samuell would pay the said Robert what he should reasonably deserve for his ffees in appearing in his said busines, & also would pay him what he should disburse in & about the managem^{t} thereof And the said Robert further in fact saith that trusting to the promise of the said Samuell to him the said Robert so as aforesaid made, he the said Robert as Attorney or Procurator of the said Samuell did out of the Office & Court of probate of Wills sue out a Citacōn against the Exec^{rs} of the said Cuningham, & there in the said cause before the judge Testamentory did appeare, & the Will of the said Cuningham on the behalfe of the said Samuell did endeavour to make void for the prosecution of which said suite the said Robert doth reasonably deserve the sum̃e of Eight hundred pounds of tobacco And further the said Robert in fact saith, that he the said Robert on behalfe & att the request of the said Samuell did exhibite a bill in Chancery & prosecute a suite there against the said Exec^{rs} for which he doth reasonably deserve Eight hundred pounds of tobacco more And also the said Robert did pay & disburse unto Wm Harper for the serveing of speciall proces from the said Judge Testamentory upon the Ex^{rs} of the said Cuningham the sum̃e of three hundred pounds of tobacco Yet the aforesaid Samuell his promise & assumpcōn so as aforesaid made not reguarding, but deviseing & fraudulently intending him the said Robert of the said Nineteen p. 839

Liber N N hundred pounds of tobacco so to him in the whole due as aforesaid to deceive & defraud, the said Nineteen hundred pounds of tobacco or any part thereof to the said Robert hath not paid or satisfied but the same to pay or satisfie hath denyed & as yet doth deny although often required, to the damage of the said Robert two thousand pounds of tobacco, thereupon he bringeth his suite

And whereupon the said Samuel by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe likewise

Now here att this day to witt the Seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 cometh as well the said Robert Ridgely in his proper person as the said Samuel Leadbeater by his Attorney aforesaid And the said Samuel by his said Attorney saith, that he the said Robert his action aforesaid against him the said Samuel ought not to have, because he saith that he the said Samuel did not assume upon himselfe & to the said Robert faithfully promise in manner & forme as the plaintiffe in his declaracõn hath suggested, which he the said Samuel is ready to averr And of this he putts himselfe upon the judgem^t of the Court And the said Robert likewise. whereupon the p^r misses being seen & by the Justices here fully understood Itt is considered that the said Robert Ridgely recover against the said Samuel Leadbeater as well the sume of Nineteen hundred pounds of tobacco damages occasioned by the p^r misses As also Six hundred fifty Eight pounds of tobacco costs of suite And the Defend^t in mercy &c

Wm Neads & Comp^a ag^t Edwd Gibbs } Edward Gibbs late of Som^r sett County planter otherwise called Edward Gibbs of Som^r sett County in the Province of Maryland M^r chant was Sumoned to Answer unto Wm Neads of the City of Bristoll Marryner & Comp^a of a plea that he render unto them the said Wm Neads & Comp^a the just & full quantity of thirteen thousand foure hundred Sixty & three pounds of good sound M^r chantable leafe tobacco & cask which to them he oweth & unjustly detaineth

And whereupon the said Wm Neads & Comp^a by Charles Boteler their Attorney say, that Whereas the said Edward Gibbs upon the twenty sixth day of ffebruary Annoq̃ Domini One thousand six hundred Seventy six, by his certaine bill or writing obligatory Sealed with the Seale of him the said Edward & here in Court produced whose date is the day and yeare first above written, did acknowledge himselfe to stand justly indebted unto Wm Neads of the City of Bristoll Marriner & Comp^a of the Shipp Susanna their heyres Exec^rs & Adm^rs the just & full quantity of thirteen thousand foure hundred
p.840 sixty & Three pounds of good sound M^r chantable leafe tobacco &

caske to containe the same, to be well & truely paid to the said Liber N N
Wm Neads & Comp^{a} their heyres Ex^{rs} & Adm^{rs} on demand after the tenth day of October next ensuing the date thereof in some convenient place in Som^{r}sett County to the which paym^{t} well & truely to be made the said Edward Gibbs did binde himselfe his heyres Exec^{rs} & Adm^{rs} firmly by those p^{r}sents Notwithstanding which the said Edward Gibbs the aforesaid full & just Sum̃e of thirteen thousand foure hundred sixty & three pounds of tobacco unto the said Wm Neads and Comp^{a} according to the tenour forme & effect of his said bill hath not paid, but the same to pay hath denyed & as yet doth deny, whereupon the said Wm Neads & Comp^{a} say they have losse & are damnified to the Value of twenty thousand pounds of tobacco, & thereupon they bring their suite

And the said Edward Gibbs by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the plaintiffes also

Now here att this day to witt the Seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 come as well the said plaintiffes as the said Defend^{t} by their Attorneys aforesaid And the said Defend^{t} by his said Attorney saith, that the aforesaid W^{m} & Comp^{a} their action aforesaid against him for the said thirteen thousand foure hundred sixty & three pounds of tobacco ought not to have, because he saith that he the said Edward the said sum̃e of thirteen thousand foure hundred sixty & three pounds of tobacco to the said W^{m} & Comp^{a} according to the tenour and effect of his said bill obligatory did well & truely pay, & this he is ready to averr, whereupon he demands judgm^{t} if the said W^{m} & Comp^{a} their action aforesaid against him ought to have And the said W^{m} & Comp^{a} say, that by any thing above alleadged of their action aforesaid they ought not to be debarred, for that the said Edward hath not paid nor satisfied the sum̃e of thirteen thousand foure hundred Sixty three pounds of tobacco unto the said W^{m} & Comp^{a} & this they pray may be enquired of by the Countrey And the said Edward likewise Therefore itt is Com̃anded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c, On which said Seventh day of June in the yeare aforesaid come as well the said p^{ltts} as the said Def^{t} by their Attorneys aforesaid And the jurors impannelled being called likewise come to witt John Evans, Stephen Murty, Samuell Asbiston, Richard Sweatnam, Anthony Evans, Nicholas Hacket, Robert Smith, Henry Penington, James Harrison, John Watson, Robert Toate & Elias Beech who being Elected tryed & sworne to say the truth in the p^{r}misses upon their Oaths doe say that the said Edward Gibbs hath paid unto the said Wm Neads & Comp^{a} Six thousand Eight hundred forty eight pounds of tobacco

Liber N N in part of satisfaccōn of the said bill obligatory, & that there remaines due upon the aforesaid bill Six thousand six hundred & fifteen pd̄s of tobacco Therefore itt is considered that the said
p. 841 Wm Neads & Comp^a recover against the said Edward Gibbs The Sum̄e of Six thousand six hundred & ffifteen pounds of tobacco part of the debt aforesaid And the said Edward Gibbs thereof in mercy &c And also the said Wm Neads & Comp^a in mercy for their false plaint against the aforesaid Edward Gibbs for Six thousand Eight hundred forty eight pounds of tobacco residue of the debt aforesaid, whereof he the said Edward Gibbs is by the jurors aforesaid above acquitted And the said Edward may goe thereof without day And that the said Wm Neads & Comp^a recover against the said Edward Gibbs the Sum̄e of One thousand forty & foure pounds of tobacco costs of suite

John & Thomas Dudlestone ag^t Edwd Gibbs } Edward Gibbs late of Som^rsett County planter otherwise called Edward Gibbs of Som^rsett County in the Province of Maryland M^rchant was Sum̄oned to Answer unto John & Thomas Dudlestone of the City of Bristoll M^rchants of a plea that he render unto them the just & full quantity of Eighteen thousand nine hundred & five pounds of good sound M^rchantable leafe tobacco & cask which to them he oweth & unjustly detaineth

And whereupon the said John & Thomas Dudlestone by Charles Boteler their Attorney say, that whereas the said Edward Gibbs upon the twenty seventh day of April One thousand six hundred Seventy & seven by his certaine bill or writeing obligatory Sealed with the Seale of him the said Edward Gibbs & here in Court produced whose date is the day & yeare aforesaid, did acknowledge himselfe to stand justly indebted unto Mr John & Thomas Dudlestone of the City of Bristoll M^rchants in the just & full quantity of Eighteen thousand nine hundred & five pounds of good sound M^rchantable leafe tobacco & cask to containe the same, to be paid to them the said John & Thomas Dudlestone their heyres Exec^rs & Adm^rs in some Convenient place in the aforesaid County of Som^rsett within a mile of the water side on all demands after the tenth day of October next ensueing the date thereof To the which paym^t well & truely to be made the said Edward Gibbs did binde himselfe his heyres Exec^rs & Adm^rs firmly by those p^rsents Notwithstanding which the said Edward Gibbs the said Sum̄e of Eighteen thousand nine hundred & five pounds of tobacco though often thereunto required unto the said John & Thomas Dudlestone hath not paid nor rendred according to the forme & effect of his said bill, but the same to pay hath denyed & still doth deny, whereupon the said John & Tho: Dudlestone say they are damnified & have losse to the Value of twenty five thousand pounds of tobacco, & thereupon they bring their suite

And the said Edward Gibbs by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the plaintiffes also Liber N N

Att which said next Provintiall Court came as well the said plaintiffes as the said Defend^t by their Attorneys aforesaid And the said Edward by his said Attorney saith that the aforesaid John & Thomas their action aforesaid against him for the said Eighteen thousand nine hundred & five pounds of tobacco ought not to have, because he saith that he the said Edward the said Sum̃e of Eighteen thousand nine hundred & five pounds of tobacco to the said John & Thomas according to the tenour & effect of his said bill obligatory did well & truely pay, & this he is ready to averr, whereupon he demands judgem^t if the said John & Thomas Dudlestone their action aforesaid against him ought to have And the said John & Thomas say, that by anything above by the said Edward alleadged of their action aforesaid they ought not to be debarred for that the said Edward the said Sume of Eighteen thousand nine hundred & five pounds of tobacco unto them the said John and Thomas hath not paid as above he hath alleadged And of this he putts himselfe upon the Countrey And the said Edward likewise Whereupon day is given to both parties untill next Provintiall Court p. 842

Now here att this day to witt the seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 come as well the said p^ltis as the said Defend^t by their Attorneys aforesaid And hereupon the said Edward relinquisheth his said justification by him above pretended, & saith that he hath paid unto the said John & Tho: Dudlestone only ffourteen thousand thirty seven pounds of tobacco in part of satisfaction of the said bill obligatory And that there remaines due upon the aforesaid bill ffoure thousand Eight hundred Sixty eight pounds of tobacco. Therefore itt is considered that the said John & Thomas Dudlestone recover against the said Edward Gibbs the sum̃e of ffoure thousand Eight hundred Sixty eight pounds of tobacco part of the debt aforesaid And also Six hundred thirty & two pounds of tobacco costs of suite And the said Edward Gibbs thereof in mercy &c And also the said John & Tho: Dudlestone in mercy for their false plaint against the aforesaid Edward Gibbs for ffourteen thousand thirty seven pounds of tobacco residue of the debt aforesaid whereof he is above acquitted And the said Edward may goe thereof without day &c

Richard Gardner Adm^r John Weir ag^t Richd̃ Boughton } Richard Boughton late of Ann Arundell County gentl̃ was Sum̃oned to Answer unto Richard Gardner Adm^r of the Goods Chattles & Creditts of John Weir deceased in a plea that he render unto him ffoure thousand Eighty & six pounds of tobacco which from him he unjustly detaineth.

Liber N N And whereupon the said Richard Gardner by Christopher Rousby his Attorney saith, that whereas the aforesaid Richard Boughton did in the life tyme of the above named John Weir to witt the third day of March one thousand six hundred & Seventy accompt with the said John of divers Sumes & quantities of tobaccoes to him due by the said Richard Boughton, by which accompt the said Richard Boughton was found in arrears towards the said John in the aforesaid Sume or quantity of foure thousand Eighty & six pounds of tobacco By which action did accrue to him the said John Weir in his life tyme, & since the death of the said John unto him the said Richard Gardner to whom Admcōn of the Goods Chattles & Creditts of the said John was by the Honble Philip Calvert Esqr Comissary Gen^ll of Maryland granted, to have & receive of him the said Richard Boughton the said Sume of ffoure thousand Eighty Six pounds of tobacco Yet he the said Richard Boughton though
p. 843 often thereunto Required the said Sume of foure thousand Eighty & six pounds tobacco unto him the said John in his life tyme or unto him the said Richard Gardner since the decease of the said John hath not paid, but the same to pay hath refused & still doth refuse in hinderance of the Admcōn aforesaid Whereupon the said Richard Gardner saith he is the worse & hath losse to the Value of Seaven thousand pounds of tobacco & thereupon he bringeth his suite. And the said Richard Gardner bringeth here in Court his Letters of Admcōn aforesaid, whereby itt doth appeare to the Court here that he is rightfull Adm^r &c

And the said Richard Boughton by George Parker his Attorney cometh & defendeth the force & injury when &c & prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the p^lt also.

Now here att this day to witt the sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679 cometh as well the said p^lt as the said Defend^t by their Attorneys aforesaid And the said Defend^t by his said Attorney saith that the said Richard Gardner his action aforesaid against him ought not to have, for that he saith, that whereas by one Act of Assembly made att a Gen^ll Assembly begunn & held att the City of St Maryes the [illegible] day of April in the yeare of our Lord God One thousand six hundred sixty nine & by severall subsequent Acts revived & continued & now standing in force intituled an Act for lymitacoñ of certaine actions for the avoiding of suites at Law, itt is amongst other things Enacted, that all actions of trespass quare Clausum fregit, all actions of trespasse, detinue Sur trover & Replevin for takeing away Goods & Chatles, all actions of accompt Contract, debt, booke & upon the Case, other then such actions as concerne the trade of M^rchandizes between M^rchant & M^rchant their ffactors & Servants which are not resident within this Province, all actions of debt for

lending or Contract without specialty, all actions of Assault, menace, battery, wounding & false imprisonm^t^ or any of them which shall be sued or brought by any person or persons within this Province att any tyme after the end of that Gen^ll^ Assembly shall be comenced & sued within the tyme & lymitacon hereafter expressed & not after (that is to say) the said actions of the case other then for Slander & the said actions for accompt, & the said actions for trespas debt detinue & replevin for Goods & Chattles, & the said actions of trespasse quare Clausum fregit within two yeares after the end of that p^r^sent Sessions of Gen^ll^ Assembly or within two yeares after the cause of such actions & not after &c as by the said Act relacon being thereunto had may more att large appeare And itt appearing by the said Richard Gardner his own shewing in & by his declaracon that the debt or duty by the said Richard in & by the said Declaracon claymed is above Seaven yeares standing, the said Richard Boughton therefore pleadeth the said Act of Assembly in barr of the said p^ltis^ action aforesaid, & demands judgem^t^ if the said Richard his action aforesaid against him ought to have. Liber N N

And whereupon the said Richard Gardner saith, that he by reason of the Defend^ts^ said plea or any thing therein contained of his action aforesaid ought not to be debarred because he saith that he the said Richard Gardner sues as Adm^r^ of the said John Weir deceased And that he the said John was a M^r^chant not resident within this Province, but was att the tyme of his the said Richard Boughtons contracting the said debt (which was for Goods & M^r^chandize) & long tyme before & ever after untill the tyme of his death a dweller & Inhabitant in a certaine place called Virginia beyond the Seas whereas he the said John dyed And that he the said Richard Gardner had Admcon of the Estate of the said John Weir in this Province granted unto him by the Honble Philip Calvert Esqr Judge for probate of Wills & granting of Admcons the day of in the yeare of our Lord one thousand six hundred Seventy eight wherefore the said Richard Gardner saith that the aforesaid action comenced against the said Richard Boughton in in manner & forme aforesaid is not lymitted by the said Act of Assembly And therefore he prayes judgem^t^ &c And the Defend^t^ also. And hereupon the p^r^misses being seen & by the Justices here fully understood, itt seemeth to the same Justices here that the said plea of the said Defend^t^ in manner & forme aforesaid pleaded & the matters in the same contained are insufficient in Law to debarr the said p^ltt^ from haveing his action ag^t^ the said Defend^t^ Therefore itt is granted that the said Richard Gardner Adm^r^ as aforesaid recover against the said Richard Boughton the Sume of ffoure thousand Eighty & six pounds of tobacco debt As also fiue hundred ~~one thousand~~ & Eighty pounds of tobacco costs of suite. And the Defend^t^ in mercy &c p. 844

Liber N N Robert Carvile ag^{t} Wm Russell } This action abates the Defend^{t} being dead

Cornelius Howard ag^{t} John Howard Ex^{r} Wm Carpenter
Henry Hooper ag^{t} Tho: Snell Adm^{r} John Cornish
Mary Ward Ex^{x} Matthew Ward ag^{t} Daniel Clarke Ex^{r} Edward Sauvage
Michael Taney ag^{t} Edward Gibbs
Samuel Dryer ag^{t} Wm Yieldhall
} These five actions are agreed

p. 845 Edward Pynn ag^{t} Jonathan Sibrey } Comand was given to the Coroner of Cecil County, that whereas itt was formerly comānded the Sheriffe of the same County that he take George Oldfield & Petronella his wife Exec^{x} of the last Will & Testam^{t} of John Carr deceased if they should be found in his bailwick, & them safe to keep so that he should have their bodyes here the fourth day of Decemb^{r} Anno Doni 1677 to answer unto Edward Pynn in a plea of trespas upon the case which said fourth day of Decemb^{r} in which the said Court ought to have bin held was by his Lordpps writt of Adjournm^{t} Adjourned untill the fifth day of the same Decemb^{r} And from the said fifth day untill the sixth day of the same month, And from the said sixth day of December was by his Lordpps Writt of Adjournm^{t} further Adjourned untill the thirteenth day of ffebruary then next following. On which said thirteenth day of ffebruary Jonathan Sibrey Sheriffe of Cecil County made returne of the writt aforesaid, that by Vertue thereof he had taken the said George Oldfield and Petronella his wife whose bodyes he had att the tyme & place as by the same writt he was comānded On which said thirteenth day of ffebruary & att a Provintiall Court held the ninth day of April Anno Doni 1678. & on the Eleaventh day of June then next following the said Jonathan Sibrey being solemnly called & the said George Oldfield & Petronella his wife like-

wise, and neither of them appearing by themselves or Attorney to answer the action of the aforesaid Edward Pynn Itt was therefore comanded the Coroner of the County aforesaid that by good and lawfull men of his bailywick he make known unto the said Jonathan Sibrey that he be & appeare here the Eighth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678. to shew cause if any he had why judgem^t should not passe against him upon the aforesaid action of the said Edward Pynn On which said Eighth day of October in the yeare aforesaid John James Coroner of the County aforesaid made returne of the writt aforesaid endorsed Viz^t that he had made known unto the said Jonathan Sibrey in the p^rsence of John Howell & Robert Sanders good & lawfull men of his bailywick, which said Jonathan according to the warning in this behalfe made by Robert Ridgely his Attorney likewise came & prayeth thereupon day to imparle untill next Provintiall Court & itt is granted unto him, the same day is given to the plaintiffe also Liber N N

Now here att this day to witt the Seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679. cometh as well the said Edward Pynn by Robert Carvile his Attorney as the said Jonathan Sibrey by his Attorney aforesaid And the said Jonathan by his said Attorney saith, that the aforesaid Edward Pynn ought not to have judgem^t against him in the action aforesaid by him comenced against the said George Oldfield & Petronalla his wife Exec^x of the last Will & testam^t of John Carre deceased, because he saith that the debt pretended to be due to the said Edward Pynn upon which the writt aforesaid is founded is due to the said Edward from the Estate of the said John Carr deceased And that the said George & Petronella are sued in that action as the said Petronella is Exec^x of that Estate And therefore the bodyes of the said George & Petronella for the same by the said Jonathan by vertue of the writt aforesaid by the Law could not be restrained, untill upon a wast proved against them of the said Estate, by reason whereof them the said George & Petronella in their proper persons to the City of St Maryes aforesaid the said fourth day of Decemb^r aforesaid compell he could not And this he is ready to averr, & thereupon prayeth judgem^t of this Court if the aforesaid Edward Pynn judgement against him of & upon the p^rmisses ought to have And of this he putts himself upon the judgem^t of the Court, And the plaintiffe also And hereupon the p^rmisses being seen & by the Justices here fully understood, itt seemeth to the Justices here that the said plea of the said Defend^t in manner and forme aforesaid pleaded & the matter therein contained are sufficient to hinder & retard the said p^lt from haveing judgm^t against the said Defend^t of & upon the p^rmisses. Therefore itt is considered that the said writt of Scire facias against the said Defend^t in forme aforesaid obtained shall be abated &c. p. 846

Liber N N Itt is the opinion of the Court, that if an Exec^{r} or Adm^{r} appeare not upon the first Sum̃ons, that he may be by a Capias Restrained; And that if upon that Capias the Sheriffe returne a Cepi, & produce not the body att the then next Court following, that the aforesaid Sheriffe shall be amerced & the baile bond be assigned to the p^{ltt} And if no baile bond be taken, then action lyes against the Sheriffe But in the case att the barr, Sybrey is not bound to pay the debt to Pynn, the meritts of the cause unheard, lett the plea to the Scire facias be whatt itt will

John Edmondson ag^{t} Sarah Barret	These seven actions are agreed
Tho: Brearly ag^{t} John Kennimont	
Anth^{o} Mayle ag^{t} Wm Hemsley	
Robert Carvile ag^{t} Pope Alvey	
Charles Boteler ag^{t} Geo: Robins	
Anth^{o} Longden ag^{t} Stephen Murty	
James Tyer Ex^{r} John Bowles ag^{t} Justinian Gerard	

p. 847 Isaac Merritt ag^{t} Wm Hemsley } Wm Hemsley late of Talbot County in the Province of Maryl̃d̃ gent̃, otherwise called Wm Hemsley of Talbot County was Sum̃oned to answer unto Isaac Merritt of London M^{r}chant of a plea that he render unto him the full & neat quantity of two thousand seven hundred & thirty pounds of good sound M^{r}chantable & well condicõned tobacco & cask which he oweth him & from him unjustly detaineth

And whereupon the said Isaac Merritt by George Parker his Attorney, saith, that whereas the said Wm Hemsley the twenty fourth day of August Annoq̃ Doni one thousand six hundred seventy & seven, by his certaine bill or writeing obligatory Sealed with the Seale of the said Wm Hemsley & here in Court produced whose date is the day & yeare first above written, did owe & stand firmly indebted

unto Isaac Merrit[t] of London M^r^chant in the full & neat quantity of two thousand seven hundred & thirty pounds of good sound M^r^chantable & well condicōned tobacco & cask to containe the same to be paid to Richard Johns of Calvert County planter or to his order for the proper use & behoofe of the said Isaac Merritt his heyres Exec^rs^ Adm^rs^ & assignes conveniently in the said County of Talbot upon the tenth day of November next ensueing the date of the said bill or wr̄iteing obligatory To the which paym^t^ well & truely to be made & done he the said Wm Hemsley did binde himselfe his heyres Ex^rs^ and Adm^rs^ firmly by those p^r^sents Notwithstanding which the said Wm Hemsley the said full & neat quantity of two thousand seven hundred & thirty pounds of tobacco & cask unto the said Richard Johns or his order for the proper use & behoofe of the said Isaac Merritt according to the tenour of the said bill or writing obligatory though often thereunto required hath not paid, but the same to pay hath altogether denyed & refused & still doth deny & refuse, whereupon the said Isaac saith that he is damnified & hath losse to the Value of ffive thousands pounds of tobacco & thereupon he bringeth his suite &c Liber N N

And the said Wm Hemsley in his proper person doth come & defend the force & injury when &c and saith nothing in barr of the action of the aforesaid Isaac Merritt, whereby the said Isaac remaineth against the said W^m^ thereof wholy undefended Therefore itt is granted by the Court this day to witt the fifth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̄ Doni 1679 that the said Isaac Merritt recover against the said Wm Hemsley the aforesaid Sum̄e of two thousand seven hundred & thirty pounds of tobacco debt And also five hundred fifty two pounds of tobacco costs of suite And the Defend^t^ in mercy &c

John Machen ag^t^ Wm Chandler } William Chandler gent^l^ High Sheriffe of the County of Charles County was Attached to Answer unto John Machen M^r^chant of a plea of trespas on the case.

And whereupon the said John Machen by George Parker his Attorney complaineth, that whereas one John Sanders late of Bristoll M^r^chant the Seventh day of Septemb^r^ in the yeare of our Lord one thousand six hundred Seventy six by his certaine writing obligatory was bound & firmly obliged unto the said John Machen in the Sum̄e of ffoure hundred pounds of currant And lawfull money of England for the true paym^t^ of two hundred pounds of like lawfull money of England to be paid to the said John Machen or to his Exec^rs^ Adm^rs^ or assignes att or upon the tenth day of April then next ensueing the date of the said bill obligatory And for the true performance thereof the said John Sanders did thereby binde himselfe his Exec^rs^ Adm^rs^ & assignes firmly by those p^r^sents, as by the p. 848

Liber N N same bill obligatory more plainly appeareth Which said two hundred pounds the said John Sanders did not pay unto him the said John Machen on the said tenth day of April which att or upon the same day he ought to haue paid him according to the forme and effect of the same bill obligatory although he hath bin often thereunto required, whereby an action did accrue unto the said John Machen to require & have of the said John Sanders the aforesaid foure hundred pounds of sterling And for the more speedy recovery of the same ffoure hundred pounds the said John Machen by George Parker his Attorney the sixth day of December in the third yeare of his Lordpps Dominion Annoq̃ Doni One thousand six hundred Seventy seven then & continually afterwards had prosecuted out of his Lordpps Provintiall Court of this Province a certaine writt of Capias of his said Lordpp directed to the then Sheriffe of Charles County, by which itt was comanded to him the said then Sheriffe that he should take the aforesaid John Sanders if he should be found in his bailywick & him safe keep so that he might have his body before his Lordpps Justices of the Provintiall Court to be held att the City of St Maryes the twelfth day of ffebruary then next to answer unto John Machen of a plea that he render unto him the Sume of ffoure hundred pounds of currant & lawfull money of England, & that he should have there then that writt, to the intent that the said John Machen in the said Provintiall Court of his Lordpp here might declare prosecute & recover against the aforesaid John Sanders the debt of ffoure hundred pounds sterling money aforesaid. Which said writt of Capias the said John Machen by George Parker his Attorney afterwards & before the returne of the said writt of Capias that is to say the Eighth day of ffebruary One thousand six hundred Seventy seven aforesaid in the County of Charles County unto the said Wm Chandler then being Sheriffe of the said County of Charles County delivered in forme of Law to be executed By reason of which said writt of Capias the said Wm Chandler then being Sheriffe of the aforesaid County of Charles County afterwards to witt the Eleventh day of ffebruary in the third yeare of his Lordshipps Dominion &c att Portobacco within the County aforesaid the said John Sanders for the cause aforesaid did take & Arrest And the said John Sanders for the cause aforesaid in forme aforesaid he the said Wm Chandler then being Sheriffe of Charles County aforesaid after wards to witt the twelfth day of ffebruary One thousand six hundred Seventy seven before his Lordpps Justices of his Provintiall Court aforesaid att the City of St Maryes aforesaid according to the tenour of the said writt of Capias then & there had, which said Justices of the Provintiall Court aforesaid afterwards to witt the fourteenth day of ffebruary in the third yeare of his Lordpps Dominion by speciall order of the said Court the said John Sanders did remand & comitt to the custody of the said

Wm Chandler then Sheriffe of Charles County aforesaid, to be by him the said Wm in safe custody kept untill he had given speciall baile to Answer the aforesaid action of the said John Machen for the foure hundred pounds sterling aforesaid By verture of which said order of Court the said Wm Chandler then Sheriffe of Charles County aforesaid the said ffourteenth day of ffebruary the same John Sanders into his hands & custody did take, & him the said John Sanders by Vertue of the same order of Court afterwards to witt the Sixteenth day of ffebruary aforesaid att the dwelling house of him the said Wm Chandler in Charles County aforesaid he the said Wm Chandler then Sheriffe of Charles County aforesaid had held & detained And the said John Machen further saith, that afterwards to witt the twenty sixth day of ffebruary aforesaid he the said Wm Chandler then Sheriffe of Charles County aforesaid att the dwelling house of the said William in Charles County aforesaid did Voluntarily suffer the said John Sanders to goe att large & make his Escape forth of the Custody of him the said Wm Chandler without the knowledge & Licence or consent of him the said John Machen, He the said John Sanders not haveing paid the said debt of foure hundred pounds sterling, or produced or given speciall baile to answer the aforesaid action of him the said John Machen according to the tenour forme & effect of the aforesaid order of Court now remaining upon Record in the Secretaryes Office of this Province By reason whereof he the said John Machen not only of his action aforesaid against him the said John Sanders is altogether frustrated & disappointed, but also by the skulking & absconding of him the said John Sanders in places unknown occasioned by the Escape aforesaid so permitted by the said Wm Chandler then Sheriffe of Charles County as aforesaid, he the said John Machen is utterly defeated of his debt aforesaid, and totally disabled to recover the same of him the said John Sanders, whereupon he saith that he is the worse & hath damage to the Value of five hundred pounds sterling and thereupon he brings his suite.

Liber N N p. 849

And the said Wm Chandler by Robert Ridgely his Attorney doth come & defend the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679 cometh as well the said plaintiffe as the said Defendt by their Attorneys aforesaid And the said Defendt by his said Attorney saith, he is in no wise guilty of the prmisses above by the said John Machen imposed upon him in manner & forme as the said John hath declared against him, & of this he putts himselfe upon the Countrey And the plaintiffe also Therefore itt is comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom

Liber N N &c and who neither &c to recognize &c because as well &c On which said sixth day of June in the yeare aforesaid cometh as well the said plaintiffe as the said Defend^{t} by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt John Evans, Stephen Murty, Samuel Asbiston, Richard Sweatnam, Anthony
p. 850 Evans, Robert Peca, Nicholas Hacket, Robert Smith, John Watson, Theophilus Turford, Henry Penington & James Harrison who being Elected tryed and sworne to say the truth in the p^{r}misses, the plaintiffe although solemnly called appeares not, whereupon a Nonsuite is awarded against him And itt is considered that the said p^{lt} take nothing by his writt, but be in mercy for his false claime And that the Defend^{t} goe thereof without day And that the said Wm Chandler recover against the said John Machen the Sum̃e of Two thousand eighty and six pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said Wm Chandler may haue thereof Execucōn

John Baker ag^{t} Mich^{l} Miller	These Eleven actions are continued untill next Court
Tho: Bland ag^{t} Edwd Dorsey	
John Hamilton ag^{t} John Garnis	
Samuel Dobson ag^{t} the same	
Jacob Leisler ag^{t} Marke Cordea	
Malachy Peale ag^{t} James Tyer	
Edwd Leach ag^{t} Robert Murphy	
Tho: Bland ag^{t} Peter Pagan	
Margaret Hall Ex^{x} Walter Hall ag^{t} Garret VSweringen	

John Quigley
ag^t
Richd Sweatnam
ffrancis Roberts
ag^t
Edwd Gibbs

Upon the peticōn of Thomas Pattison, that he is brought downe to this Court by vertue of an Execution att the suite of Thomas Jones for a debt by him satisfied & paid by the said Thomas Jones his order & humbly requested that he might be discharged from the said Execution. whereupon the aforesaid Tho: Pattison haveing made itt appeare by receipts that he hath satisfied & paid the full contents of the Execution aforesaid to the order of the said Tho: Jones, is discharged of the Execution aforesaid by Kenelm Cheseldyn Attorney of the said Tho: Jones. the said Tho: Pattison afterwards to witt the fourth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoqꝫ Doni 1679 acknowledging that he will pay unto the said Tho: Jones what he shall make appeare to remaine due upon the judgem^t & Execution aforesaid p. 851

Abigail Wright
Ad^x Arth: Wright
ag^t
Jno Richardson

John Richardson late of Dorchister County otherwise called John Richardson of the County of Dorchister planter was Sumoned to answer unto Abigail Wright Adm^x of the Goods & Chattles of Arthur Wright deceased of in a plea that he render unto her the Sume of ffoure thousand nine hundred thirty eight pounds of tobacco which from her he unjustly detaineth

And whereupon the said Abigail by Robert Carvile her Attorney saith, that whereas the said John upon the fourth day of August in the yeare of our Lord One thousand six hundred Seventy six, did by his certaine bill or writeing obligatory Sealed with the Seale of him the said John & here in Court produced whose date is the day & yeare aforesaid acknowledge himselfe to be indebted to the said Arthur upon accompt the said Sume of foure thousand nine hundred thirty eight pounds of good sound tobacco to be paid that p^rsent yeare after the date of the said bill, yet notwithstanding he the said John the said Sume of foure thousand nine hundred thirty eight pounds of tobacco to him the said Arthur in his life tyme, or to the said Abigail since his death according to the tenour of the said bill though often thereunto requested hath not paid or satisfied, but the same to pay & satisfie hath hitherto & still doth refuse & deny to pay to the damage of the said Abigail tenn thousand pounds of tobacco, & thereupon she bringeth her suite And she bringeth to the Court here her Letters of Admcōn that itt may appeare to the Court here that she is Adm^x & hath Admcōn &c

Liber N N And the aforesaid John Richardson by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt it granted unto him, the same day is given to the plaintiffe also.

Now here att this day to witt the seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679 cometh as well the said p^ft^ as the said Defend^t^ by their Attorneys aforesaid And the said Defend^t^ by his said Attorney saith, that he of the debt aforesaid by vertue of the writeing aforesaid
p. 852 ought not to Be charged, because he saith that itt is not the deed of him the said John Richardson, & of this he putts himselfe upon the Countrey And the p^ft^ also Therefore itt is comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c On which said seventh day of June in the yeare aforesaid came the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt John Evans, Stephen Murty, Samuell Asbiston, Richard Sweatnam, Anthony Evans, Nicholas Hacket, Robert Smith, Henry Penington, James Harrison, John Watson, Robert Toate & Elias Beech who being Elected tryed & sworne to say the truth in the p^r^misses upon their Oaths doe say that the writeing aforesaid is the Act & Deed of him the said John Richardson Therefore itt is considered that the said Abigail Wright Adm^x^ as aforesaid recover against the said John Richardson the Sume of foure thousand nine hundred thirty eight pounds of tobacco the debt aforesaid And also One thousand & sixteen pounds of tobacco costs of suite And the said Defend^t^ for that he hath denyed his own deed may be taken &c

Philip Lynes ag^t^ Mary Pope } Mary Pope late of Charles County widdow was Summoned to answer unto Philip Lynes of a plea that she render unto him certaine Chattles to the Value of Eleven thousand Eight hundred & sixty pounds of tobacco which from him she unjustly detaines.

And whereupon the said Philip by Christopher Rousby his Attorney saith, that he the twenty fifth day of April One thousand six hundred Seventy seven delivered to the aforesaid Mary Chattles that is to say, one three yeares old heifer & her Calfe, three Cowes & Calves, one bay Mare, one bay stone horse, one sorrell filly, one Cupboard, one iron pestle, one iron pott & one paire of pott hookes to the Value of Eleven thousand Eight hundred & sixty pounds of tobacco to be safe kept, & to him the said Philip Lynes when she should be thereunto required to be redelivered Yet the said Mary though often thereunto required the Chattles aforesaid to him the said Philip she hath not as yet redelivered, but the same hitherto to redeliver hath denyed & as yet doth deny & unjustly detaine, whereupon he saith he is damnified & hath losse to the Value of ffourteen thousand pounds of tobacco & thereupon he bringeth his suite

And the said Mary Pope by Kenelm Cheseldyn her Attorney doth come & defend the force & injury when &c and prayeth liberty to imparle hereunto untill Next Provintiall Court & itt is granted unto her, the same day is given to the p^tt also. Liber N N

Now here att this day to witt the seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 cometh as well the said Philip as the said Mary by their Attorneys aforesaid And the said Mary by her said Attorney saith, that the said Philip his action aforesaid against her the said Mary ought not to haue, for that she saith that she the said Mary detaineth not the Chattles as the said Philip in his declaration hath above declared against her And of this she putts herselfe upon the Countrey, & the p^tt likewise therefore itt is comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c & who Neither &c to Recognize &c because as well &c which jurors being att the barr are impannelled to witt John Evans, Stephen Murty, Samuell Asbiston, Richard Sweatnam, Anthony Evans Nicholas Hacket, Robert Smith, Henry Penington, James Harison John Watson, Robert Toate & Elias Beech who being Elected tryed & sworne to say the truth in the p^rmisses, the plaintiffe although solemnly called appeared not, whereupon a Nonsuite is awarded against him And itt is considered that the said Philip take nothing by his writt, but be in mercy for his false clayme And that the said Mary goe thereof without day And that the said Mary Pope recover against the said Philip Lynes the sume of pounds of tobacco for her costs & Charges by her about her defence in this behalfe laid out & expended And the said Mary haue thereof Execucoñ p. 853

Morgan Jones ag^t Nich: Furnesse & Cha: Bathurst } Nicholas ffurnesse & Charles Bathurst late of Calvert County were Attached to answer unto Morgan Jones of a plea wherefore by force & armes an Assault upon him they did make & him did beat wound & evill entreat & Imprison, & him in prison against the Lawes & Customes of this Province did detaine, & other harmes to him did doe, to the damage of him the said Morgan, & against the peace of the right Honble the Lord Prop^ry &c

And whereupon the said Morgan Jones by Charles Boteler his Attorney complaineth, that whereas the said Nicholas ffurnesse & Charles Bathurst upon the first day of January in the yeare of our Lord One thousand six hundred seventy & seven att the Clifts in Calvert County in the Province of Maryland with force & armes upon the said Morgan Jones an assult did make, & him did beat wound & evill entreat & imprison, & him by the space of twenty foure houres then next following without any reasonable cause & against

Liber N N the will of him the said Morgan, & against the Lawes & Customes of this Province of Maryland in prison did keep & detaine, & other harmes to him did doe, against the peace of the right Honble the Lord Prop^{ry} & to the damage of the said Morgan Jones tenn thousand pounds of tobacco & thereupon he bringeth his suite

And the said Nicholas & Charles by Robert Ridgely their Attorney come & defend the force & injury when &c and pray liberty to imparle hereunto untill next Provintiall Court & itt is granted unto them, the same day is given to the p^{lt} also

Now here att this day to witt the Seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679 cometh as well the said p^{lt} as the said Defend^{ts} by their Attorneys aforesaid And the said Defend^{ts} by their said Attorney say, that they of the trespas assault and imprisonm^{t} aforesaid supposed to be done, that they in nothing are thereof guilty as the aforesaid Morgan hath above against them complained And of this they putt themselves upon the Countrey And the said Morgan Jones also Therefore itt is Comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c On which said Seventh day of June in the yeare aforesaid cometh as well the said p^{lt} as the said Defend^{ts}
p. 854 by their Attorneys aforesaid And the jurors impanneld Being called likewise came to witt John Evans, Stephen Murty, Samuell Asbiston, Richard Sweatnam, Anthony Evans, Nicholas Hacket, Robert Smith, Henry Penington, James Harrison, John Watson, Robert Toate & Elias Beech who being Elected tryed & sworne to say the truth in the p^{r}misses upon their Oaths doe say that the said Defend^{ts} are not Guilty of the trespas assault or imprisonm^{t} aforesaid above supposed to be done Therefore itt is considered that the said Morgan take nothing by his writt but be in mercy for his false claime And that the said Nicholas & Charles goe thereof without day And also that the said Nicholas ffurnes and Charles Bathurst recover against the said Morgan Jones the Sume of One thousand thirty one pounds of tobacco for their costs & charges by them about their defence in this behalfe laid out & expended And the said Nicholas & Charles may have thereof Execution &c

Jno Bearcroft ag^{t} Jean W^{ms} Adm^{x} W^{m} W^{ms} } Jean Williams late of St Maryes County Adm^{x} of the Goods & Chattles of Wm Williams deceased was Sumoned to Answer unto John Bearcroft in a plea that she render unto him the sume of foure thousand two hundred Eighty six pounds tobacco which from him she unjustly detaineth

And whereupon the said John by Kenelm Cheseldyn his Attorney saith, that whereas the said Wm Williams in his life tyme to witt the fourth day of June One thousand six hundred Seventy eight by his

certaine writing obligatory sealed with the Seale of the said W^{m} here in Court produced whose date is the same day & yeare above written, did acknowledge himselfe holden & firmly bound unto John Bearcroft of the same County M^{r}chant agent to Wm Dalby of London in the just & full Sum̃e of two thousand one hundred forty & three pounds of good sound M^{r}chantable leafe tobacco & caske due to be paid to the said John Bearcroft or to the said Wm Dalby or any or either of them their or either of their heyres Exec^{rs} Adm^{rs} or assignes joyntly or severally on all demands in some convenient place in Wiccocomico River in the County aforesaid, to which paym^{t} well & truely to be made & done, the said Wm Williams did binde himselfe his heyres Exec^{rs} & Adm^{rs} in the penall quantity of ffoure thousand two hundred Eighty six pounds of like condicoñed tobacco & caske, Notwithstanding which the said Wm Williams the said Sum̃e of ffoure thousand two hundred Eighty six pounds of tobacco according to the tenour of his said obligation hath not paid though often thereunto required in his life tyme, nor the said Jean since his death Adm^{x} of all & singuler the Goods and Chattles of the said Wm Williams since his death to her com̃itted though often thereunto required hath not paid, but the same to pay hitherto hath & still denyes to the dam̃age of the said John the Sum̃e of five thousand pounds of tobacco & thereupon he bringeth his suite Liber N N

And the said Jean Williams by Nehemiah Blakiston her Attorney doth come & defend the force & injury when &c & prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto her, the same day is giuen to the p^{lt} also

Now here att this day to witt the Sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 cometh the said John Bearcroft by his Attorney Aforesaid, and offereth himselfe against the said Jean Williams in the plea aforesaid, but the said Jean Williams came not but made default Therefore itt is considered that the said John Bearcroft recover against the said Jean Williams Adm^{x} as aforesaid as well the sum̃e of foure thousand two hundred Eighty six pounds of tobacco debt As also ffiue hundred Twenty Eight pounds of tobacco costs of suite And the Defend^{t} in mercy &c p. 855

Samuell Allen ag^{t} John Garnis } John Garnis late of St Maryes County otherwise called John Garnis of St Maryes Innholder was Sum̃oned to answer unto Samuell Allen of Southampton in the Kingdome of England M^{r}chant of a plea that he render unto him the full & just Sum̃e of twenty five thousand one hundred & Eighty pounds of good sound M^{r}chantable & every way well condicoñed tobacco & cask which to him he oweth & unjustly detaineth

And whereupon the said Samuell Allen by Charles Boteler his

Liber N N Attorney saith, that whereas the said John Garnis upon the twentieth day of May in the yeare of our Lord One thousand six hundred Seventy & eight by his certaine writeing obligatory Sealed with the Seale of him the said John & here in Court produced whose date is the day & yeare abovesaid, did owe and was indebted unto Samuell Allen of Southampton in the Kingdome of England M^{r}chant the full & just Sum̃e of twenty five thousand one hundred & Eighty pounds of good sound M^{r}chantable & every way well condicōned tobacco in cask due to be paid to Richard Smith jun^{r} & Michael Allen of Calvert County or either of them their heyres Ex^{rs} Adm^{rs} or assignes for the proper use of the aforesaid Samuel Allen in some convenient place in St Maryes County when demanded To the which paym^{t} well & truely to be made he did binde himselfe his heyres Exec^{rs} & Adm^{rs} firmly by those p^{r}sents Nowithstanding which the said John Garnis though often thereunto required the sum̃e of twenty five thousand one hundred & Eighty pounds of tobacco according to the tenour forme & effect of his said bill hath not paid nor rendred, but the same to pay hath hitherto denyed & still doth deny, whereupon the said Samuell Allen saith he is damnified & hath losse to the Value of Thirty thousand pounds of tobacco & thereupon he bringeth his suite

And the said John Garnis in his proper person comes & defends the force & injury when &c and prayeth hearing of the said writeing & itt is read unto him, he also prayeth hearing of the Condicōn of the said writeing & itt is read unto him in these words following. The Condicōn of this Obligacōn is such, that if the above bounden John Garnis his heyres Ex^{rs} Adm^{rs} or either of them shall well & truely pay to Richard Smith jun^{r} & Michael Allen or either of them their heyres Exec^{rs} Adm^{rs} or assignes for the proper use of Samuell Allen above expressed the Sum̃e of twelve thousand five hundred & ninety pounds of good sound M^{r}chantable & every way well condicōned tobacco in cask att or upon the tenth day of Novemb^{r} next ensueing the day of the date hereof conveniently in St Maryes County, then this Obligacōn to be void & of none effect, otherwise
p. 856 to stand & remaine in full force & vertue, which words being Read & heard the said John Garnis saith, that as to tenn thousand three hundred Sixty & nine pounds of tobacco part of the debt aforesaid he is content that judgm^{t} passe against him for the same, the residue of the said debt being already satisfied & paid Therefore itt is considered that the said Samuell Allen recover against the said John Garnis the said Sum̃e of tenn thousand three hundred Sixty & nine pounds of tobacco debt And also five hundred Sixty foure pounds of tobacco costs of suite And the Defend^{t} in mercy &c And the p^{lt} in mercy for his false plaint against the Defend^{t} for the residue of the Debt aforesaid And the Defend^{t} may goe thereof without day &c

Robert Dowlan ag^t John Blomfield } John Blomfield late of St Maryes City Innholder otherwise called John Blomfield of St Maryes County was Sumoned to Answer unto Robert Dowlan of a plea that he render unto him three thousand pounds of tobacco which to him he oweth & unjustly detaineth Liber N N

And whereupon the said Robert Dowlan by Robert Ridgely his Attorney saith, that whereas the said John Blomfield the twelfth day of March One thousand six hundred Seventy seven together with the said Robert Dowlan by certaine Articles of Agreem^t Sealed with the Seales of as well the said John Blomfield as the said Robert Dowlan & bearing date the day & yeare aforesaid, & interchangably Sealed & delivered from either to other, which part sealed with the Seale of the said John is here in Court by the said Robert produced, by which itt is wittnessed that the said Robert for & in consideration of three hundred pounds of tobacco & caske to be paid by him the said John, did there by Covenant promise grant & agree to & with the said John to serve him the said John in such imployment as he the said Robert is or should be capable of from the day of the date of the same Articles of Agreem^t untill the last day of October next ensuing the date of those p^rsents fully to be compleat & ended In consideracoñ whereof he the said John did thereby Covenant promise & grant & agree to finde & allow the said Robert sufficient meat drink washing and lodging dureing the said terme And also pay to the said Robert the sum̃e of three hundred pounds of tobacco p month. And further that the said Robert should & might haue the priviledge of a ffreeman as to buying bartering & dealing with any person within this Province, any Law or Act of Assembly to the contrary notwithstanding, for the true performance whereof the said Robert & John did thereby binde themselves each to other in the sum̃e of three thousand pounds of tobacco as by the same Articles of Agreem^t relation being thereunto had more fully itt doth & may appeare And the said Robert saith, that although he hath fullfilled & performed all & singuler the Covenants & Agreem^ts in the said Articles of Agreem^t mencōned & contained on his part to be performed & done, & in particuler the said Robert him the said John from the said twelfth day of March in the yeare aforesaid untill the last day of Octob^r then next following that is to say for the space of Seven Months & a halfe did serve in such imploym^t as he was capable of, for which according to the tenour of the Articles of Agreem^t aforesaid he was to haue & receive of him the said John the Sum̃e of two thousand two hundred & fifty pounds of tobacco for his service aforesaid Notwithstanding which the said John Blomfield him the said Robert Dowlan the said Sum̃e of two thousand two hundred & fifty pounds of tobacco according to the tenour of the said Articles of Agreem^t although often thereunto required hath not p. 857

Liber N N paid, but the same to pay hath denyed & as yet doth deny, by which action hath accrued to the said Robert Dowlan to require & have of the said John Blomfield the said Sum̃e of three thousand pounds of tobacco & thereupon he produceth his suite

And the said John Blomfield in his proper person cometh & defendeth the force & injury when &c and saith that he is content that judgem^t^ passe against him for twelve hundred Seventy & three pounds of tobacco being the ballance of acc^ts^ between the said Robert Dowlan & the said John Blomfield Therefore itt is considered that the said Robert Dowlan recover against the said John Blomfield the aforesaid Sum̃e of twelve hundred Seventy & three pounds of tobacco debt As also Six hundred & Eight pounds of tobacco costs of suite And the Defend^t^ in mercy &c~June fourth 1679.

Upon the peticõn of Giles Collyer, that he truely & faithfully served the Honble Col Thomas Taillor Esqr the full terme of foure yeares as was obliged to serve by Indenture to Anth^o^ Standford, Att the expiracõn whereof he demanded his freedom who denyed to sett him free according to his Indenture, & enforced him to serve one yeare more, & hath not made him any satisfaction for the same And humbly requested an order of this Court to compell the said Colonell Tho: Taillor to pay him for his yeares service Which being read & heard Itt is ordered this day to witt the fourth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Dni 1679 that Scire facias issue to make known to the said Col Tho: Taillor or his Attorney that he be & appeare here att the next Provintiall Court, to shew cause why he should not make satisfaction unto the said Giles Collyer for the yeares service aforesaid

Com̃and was given to the Sheriffe of s^t^ Maryes County, that he cause to come here to witt the sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679. twelve good & lawfull men of his bailywick well & truely to try what dam̃ages Robert Peca hath sustained for want of the Restitution of one white Mare, one young stone horse, one gunn, one feather bedd, two red blanketts, one white hammock, & one red Cow & Calfe which were ordered to be restored to the said Robert Peca by Henry Stocket

On which said sixth day of June in the yeare aforesaid came as well the said Robert Peca by Robert Carvile his Attorney as the said Henry Stocket by George Parker his Attorney And the jurors impannelled being called likewise came to witt Randall Hanson, Philip Lynes, Thomas Gant, Richard Edelen, Michael Taney, Giles Collier, Peter Archer, Marmaduke Semme, Edward Dorsey, Wm Turner, Henry Cole & Wm Nowell who being Elected tryed & sworne
p. 858 To say the truth in the p^r^misses upon their Oaths doe say that the

said Robert Peca hath sustained damage for want of the restitucōn of the Goods & Chattles aforesaid to Seven thousand one hundred pounds of tobacco Therefore itt is considered that the said Robert Peca recover against the said Henry Stocket the aforesaid Sum̃e of Seven thousand one hundred pounds of tobacco dam̃ages by the jurors aforesaid in forme aforesaid assessed As also two thousand one hundred & six pounds of tobacco costs of suite And the Defend^{t} in mercy &c Liber N N

Tho: Hussey ag^{t} Justinian Gerard } Justinian Gerard otherwise called Justinian Gerard of St Maryes County in the Province of Maryland Gent^{l} was Sum̃oned to Answer unto Thomas Hussey of Charles County in the Province aforesaid Gent^{l} in a plea that he render unto the said Hussey two thousand pounds of tobacco which to him he oweth & unjustly detaines

Whereupon the said Hussey by George Parker his Attorney saith that whereas the aforesaid Justinian Gerard the tenth day of May Anno one thousand Six hundred Seventy seven by his certaine bill obligatory which he the said Hussey with the Seale of him the said Gerard signed here in Court produced whose date is the same day & yeare, did oblige himselfe his heyres Exec^{rs} & Adm^{rs} to pay or cause to be paid unto Thomas Hussey of Charles County in the same Province gent^{l} his heyres Exec^{rs} Adm^{rs} or assignes the full Sum̃e of two thousand pounds of good sound M^{r}chantable leafe tobacco & cask att or upon the tenth day of Octob^{r} next ensuing the date thereof att some convenient place in one of the two Countyes aforesaid Notwithstanding the aforesaid Justinian Gerard although often demanded the aforesaid two thousand pounds of tobacco to the said Hussey hath not as yet rendred, but the same hitherto hath denyed to pay & as yet denieth, whereupon he saith that he is damnified & hath dam̃age to the Value of ffoure thousand pounds of tobacco & thereupon he brings his action.

And the said Justian Gerard by Kenelm Cheseldyn his Attorney cometh & defendeth the force and injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court, & itt is granted unto him the same day is given to the plaintiffe also

Now here att this day to witt the Sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679. cometh as well the said Thomas Hussey as the said Justinian Gerard by their Attorneys aforesaid And the said Justinian by his said Attorney saith, that he is not informed by the said Justinian of any answer for the said Justinian to the aforesaid Thomas Hussey in the plaint aforesaid to be giuen, & nothing more thereof saith, by which the said Thomas remaineth against the aforesaid Justinian thereof undefended Therefore itt is considered that the said Thomas

Liber N N Hussey recover against the said Justinian Gerard as well the Sum̃e of two thousand pounds of tobacco debt As also
pounds of tobacco costs of Suite And the Defen^{t} in mercy &c.

p. 859 Henry Ward ag^{t} Edwd Pynn & al̃ } Elizabeth Wincles late of Talbot County Adm^{x} of the Goods & Chattles Rights & Creditts of Edward Wincles deceased & Edward Pynn, otherwise called Edward Wincles & Edward Pynn were Sum̃oned to Answer unto Henry Ward of a plea that they render unto him the Sum̃e of ffoure thousand pounds of tobacco which from him they unjustly detaine.

And whereupon the said Henry by Robert Carvile his Attorney saith, that whereas the said Edward Wincles & Edward Pynn upon the sixth day of Septemb^{r} Anno Doni One thousand six hundred Seventy seven by their certaine bond or writing obligatory Sealed with the Seales of them the said Edward & Edward & here in Court produced whose date is the day & yeare abovesaid, did confesse & acknowledge themselves to be holden & firmly bounden unto the said Henry in the full & just Sum̃e of foure thousand pounds of sound M^{r}chantable tobacco & cask to containe the same, to be paid upon all demands after the tenth day of Octob^{r} then next, & for the true performance whereof they did binde themselves their heyres Exec^{rs} & Adm^{rs} firmly by those p^{r}sent Yett notwithstanding the said Edward Wincles in his life tyme nor the said Elizabeth Wincles since his death, nor the said Edward Pynn the said Sum̃e of foure thousand pounds of tobacco to him the said Henry though often thereunto requested have not paid or satisfied, but the same to pay and satisfie have hitherto denyed & refused & still doe deny and refuse, to the dam̃age of the said Henry five thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Edward Pynn by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c & saith he hath nothing to say in barr of the said action above declared, but that the said Henry should recover ag^{t} the said Edward Pynn the said Sum̃e of ffoure thousand pounds of tobacco Therefore itt is considered by the Court here this day to witt the fourth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 that the said Henry Ward recover ag^{t} the said Edward Pynn as well the Sum̃e of ffoure thousand pounds of tobacco debt As also five hundred fifty two pounds of tobacco costs of suite And the Defend^{t} in mercy &c

Mr Christopher Rousby April 4th 1679.

S^{r} I desire you to appeare in my behalfe as my Attorney in the Provintiall Court next June, to answer unto an action of debt of foure thousand pounds of tobacco prosecuted against me by Mr Henry Ward, to confesse judgem^{t} thereunto wth stay of Execution untill

the tenth of Novemb^{r} next, & for your so doeing this shall be yor sufficient warrant, as witness my hand & seale the day & yeare aforesaid Liber N N

To Mr Christopher Rousby one of the Attorney of the Provintiall Court, or any other Attorney of the Provintiall Court.

Edward Pynn (sealed)
1679.

Richard Keene Ro: Carvile

John Shelton ag^{t} Tho: & Samuell Hedge — Thomas Hedge & Samuell Hedge late of Baltemore County otherwise called Thomas Hedge ffishmunger & Samuell Hedge Painter Stayner of London were Sum̃oned to answer unto John Shelton Citizen & Sadler of London of a plea that they render unto him the Sum̃e of foure & twenty pounds of lawfull money of England which to him they owe & unjustly detaine p. 860

And whereupon the said John by Robert Carvile his Attorney saith, that whereas the said Thomas & Samuell upon the nineteenth day of Novemb^{r} Anno Doni One thousand six hundred Seventy two by their certaine bond or writeing obligatory sealed with the Seales of them the said Thomas & Samuel & here in Court produced whose date is the day & yeare abovesaid, did confesse & acknowledge them to be held & firmly bound unto the said John Shelton in the sum̃e of Twenty foure pounds of good & lawfull money of England to be paid to the said John Shelton his certaine Attorney Exec^{rs} Adm^{rs} or assignes, to which paym^{t} well & truely to be made they bound themselves & either of them their heyres Ex^{rs} & Adm^{rs} joyntly & severally in the whole & every part firmly by those p^{r}sent Yet notwithstanding the said Thomas & Samuell nor either of them the said Sum̃e of twenty foure pounds of lawfull money of England according to the tenour of the said bond to him the said John Shelton though often thereunto requested haue not paid or satisfied, but the same to pay & Satisfie have hitherto & still doe deny & refuse to pay the same to the dam̃age of the said John Shelton thirty pounds sterling and thereupon he bringeth his suite

And the said Thomas Hedge by John Blomfield his Attorney cometh & defendeth the force & injury when &c & prayeth the hearing of the writing aforesaid & itt is read unto him, he also prayeth the hearing of the Condicon̄ of the writeing aforesaid & itt is read unto him in these words The Condicon̄ of this Obligacon̄ is such, that if the above bounden Thomas Hedge or Samuell Hedge or either of them their or either of their heyres Exec^{rs} or Adm^{rs} shall & doe well & truely pay or cause to be paid unto the above named John Shelton his Exec^{rs} Adm^{rs} or assignes the full Sum̃e of twelve pounds sterling of good & lawfull money of England on the nineteenth day of May in the yeare One thousand six hundred seventy & three, then this

Liber N N Mark Cordea ag^{t} Jno Blomfield } Marke Cordea of St Maryes County gent^{l} complaineth against John Blomfield gent^{l} one of the Attorneys of this Court here p^{r}sent in Court of a plea of trespasse of the case

And whereupon the said Marke by Robert Carvile his Attorney saith, that whereas the said John Blomfield upon the seventeenth day of June in the yeare of our Lord One thousand six hundred Seventy eight stood justly indebted unto the said Marke upon the ballance of accompts made upp between them in the Sum̃e of five thousand six hundred Seventy & two pounds of tobacco as by a particuler accompt thereof under the hand of the said John Blomfield a copy whereof is hereunto annexed may appeare, he the said John Blomfield in consideracõn thereof did assume upon himselfe & to the said Marke did faithfully promise that he the said John the said Sum̃e of five thousand six hundred seventy & two pounds of tobacco to him the said Marke when he should be thereunto lawfully requested would well & truely content & pay Yet notwithstanding the said John his promise and assumpcõn aforesaid little reguarding, but deviseing & fraudulently intending him the said Marke in this behalfe craftily & subtily to defraud & deceive, the said Sum̃e of five thousand six hundred Seventy two pounds of tobacco to him the said Marke though often thereunto requested hath not paid or satisfied, but the same to pay hath hitherto denyed & refused, & the same still to pay doth deny, to the dam̃age of the said Marke tenn
p. 863 thousand pounds Of tobacco, & thereupon he bringeth his suite.

And the said John Blomfield one of the Attorneys of this Court although solemnly called came not to answer the said Marke Cordea in the plea aforesaid Therefore itt is considered by the Court here this day to witt the sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679. that judgem^{t} be entred upp against the said John Blomfield for default thereof And that the said Marke Cordea recover against the said John Blomfield as well the sum̃e of five thousand six hundred Seventy & two pounds of tobacco damages As also five hundred thirty two pounds of tobacco cost of suite And the Defend^{t} in mercy &c

Robert Carvile ag^{t} Leonard Coate & ux: Adm^{x} Russell } Leonard Coate late of Ann Arundell County & Martha his wife Adm^{x} of the Goods & Chattles of Wm Russell deceased were Attached to Answer unto Robert Carvile one of the Attorneys of this Court of a plea that they render unto him the sum̃e of two thousand two hundred & Eighteen pounds of tobacco which from him they unjustly detaine

And whereupon the said Robert in his proper person saith, that whereas the said Wm Russell upon the twenty ninth day of Octob^{r} One thousand six hundred Seventy foure by his certaine bill or write-

ing obligatory Sealed with the Seale of him the said W^{m} & here in Court produced did confesse & acknowledge himselfe to owe & stand justly indebted unto the said Robert the full & just Sum̃e of ffoure hundred pounds of tobacco to be paid to the said Robert upon demand And whereas also the said William Russell upon the two & twentieth day of October One thousand Six hundred Seventy seven by his certaine other bill or writeing obligatory Sealed also with the Seale of him the said W^{m} & here in Court produced stood bound to the said Robert in the Sum̃e of thirteen hundred pounds of tobacco to be paid conveniently in the said County att or upon the tenth day of Octob^{r} One thousand six hundred Seventy Eight And whereas also the said W^{m} upon the twenty fifth day of Octob^{r} One thousand six hundred seventy seven stood also bound to the said Robert in the Sum̃e of ffive hundred and Eighteen pounds of tobacco to be paid in the County aforesaid att or upon all demands All which said severall Sum̃es doe in the whole amount unto the Sum̃e of two thousand two hundred & Eighteen pounds of tobacco Yet notwithstanding the said Wm Russell in his life tyme nor the said Martha since his death in her widdowhood, nor the said Leonard & Martha since their intermarriage the said Sum̃e of two thousand two hundred & Eighteen pounds of tobacco have not paid or satisfied, but the same to pay & satisfie hath hitherto denyed & refused & still deny & refuse to pay the same to the dāmage of the said Robert ffoure thousand pounds of tobacco & thereupon he bringeth his suite Liber N N

And the said Leonard & Martha by George Parker their Attorney come & defend the force & injury when &c and say nothing in barr of the Action of the said Robert, whereby the said Robert remaineth against the said Leonard & Martha thereof undefended Therefore itt is considered by the Court here this day to witt the Seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679 that the Said Robert Carvile recover against the said Leonard & his wife Adm^{x} as aforesaid as well the Sum̃e of two thousand two hundred & Eighteen pounds of tobacco debt As also five hundred fifty two pounds of tobacco costs of suite So that Execucōn thereof cease untill the tenth day of Novemb^{r} next And the Defend^{ts} in mercy &c p. 864

Robert Carvile ag^{t} Saml Leadbeater } Samuell Leadbeater late of St Maryes County was Attached to Answer unto Robert Carvile one of the Attorneys of this Court according to the libertyes & priviledges allowed &c. of a plea of traspas of the Case

And whereupon the said Robert in his proper person here p^{r}sent in Court saith, that the said Robert being an Attorney in this Court, the said Samuell upon the twenty Eighth day of Novemb^{r} in the yeare of our Lord One thousand six hundred Seventy six in

Liber N N consideracōn that the said Robert would be retained for the said Samuell as Attorney for him the said Samuell & for Cadwallader Jones of Chester in England M^r^chant (to whom the said Samuell was Attorney & ffactor) in all their businesses that should happen either before the judge for Probate of wills &c touching the Will of John Cuningham deceased, or in any other Court for the calling of the Exec^rs^ of the said Cuningham or any others to an account for their debts due to the said Cadwallader or Samuell or either of them, or in any other Court in this Province, he the said Samuell did assume upon himselfe & to the said Robert faithfully promise that he the said Samuell would pay to the said Robert what he should reasonably deserve for his ffees in appearing in his said busines And the said Robert in fact saith, that trusting to the promise & assumpcōn of the said Samuell to him the said Robert so as aforesaid made, he the said Robert as Attorney or Procurator for the said Cadwallader, did out of the Office for probate of Wills sue out a Citacōn against the Exec^rs^ of the said Cuningham, and therein the said cause did before the Judge Testamentory appeare severall tymes, & the Will of the said Cuningham on the behalfe of the said Samuell & Cadwallader did endeavour to make Void, for the prosecucōn of which said Suite the said Robert doth reasonably deserve the Sum̃e of Eight hundred pounds of tobacco And the said Robert did on the behalfe of the said Cadwallader & Samuell prosecute a suite in Chancery against the Exec^rs^ of the said Cuningham for which he doth reasonably deserve Eight hundred pounds of tobacco more, which said Sum̃es doe in the whole amount unto the Sum̃e of Sixteen hundred pounds of tobacco Yet the said Samuell his promise & assumpcōn aforesaid little reguarding, but deviseing & fraudulently intend the said Robert in this behalfe craftily & subtily to defraud & deceiue, the said Sum̃e of Sixteen hundred pounds of tobacco to him the said Robert though often thereunto requested hath not paid or satisfied but the same to pay or satisfie hath hitherto denyed & refused & still doth deny & refuse to the dam̃age of the said Robert three thousand pounds of tobacco, & thereupon he bringeth his suite

And the said Samuel by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the plaintiffe also

p. 865 Now here att this day to witt the Seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679 cometh as well the said plaintiffe in his proper person as the said Defend^t^ by his Attorney aforesaid And the said Defend^t^ by his said Attorney saith, that he the said Robert his action aforesaid against him the said Samuell ought not to haue, because he saith, that he the said Samuell did not assume upon himselfe & to the said Robert faithfully promise in manner & forme as the said p^lt^ in

his declaracōn hath suggested, which he the said Samuell is ready to averr And of this he putts himselfe upon the judgm^t of the Court And the said Robert likewise. Whereupon the p^rmisses being seen & by the Justices here fully understood Itt is considered that the said Robert Carvile recover against the said Samuell Leadbeater as well the sum̃e of Sixteene hundred pounds of tobacco dam̃ages As also five hundred Sixty eight pounds of tobacco costs of suite And the Defend^t in mercy &c Liber N N

Mary Roe Ex^x
Edward Roe
ag^t
Mary Eaton Ex^x
Jeremiah Eaton

Mary Eaton Ex^x of Jeremiah Eaton late of Kent County was Sumoned to Answer unto Mary Roe Widdow Ex^x of Edward Roe of a plea that she render unto her the Sum̃e of five thousand Eight hundred Seventy foure pounds of good sound M^rchantable tobacco in cask according to the late Act of Assembly which from her unjustly she doth detaine

And whereupon the said Mary Roe by Robert Ridgely her Attorney saith, that whereas the abovesaid Jeremiah Eaton in his life tyme Viz^t upon the Sixteenth day of Decemb^r in the yeare of our Lord God One thousand six hundred Seventy & three by his certaine writeing Obligatory Sealed with the Seale of him the said Jeremiah & herein Court produced whose date is the day & yeare above written, did binde himselfe his heyres Ex^rs Adm^rs and assignes in the Sum̃e of fiue thousand Eight hundred Seventy foure pounds of good sound M^rchantable tobacco & cask according to the late Act of Assembly unto the said Edward Roe of the County of Talbot in the Province of Maryland gent^l his heyres Ex^rs Adm^rs or assignes to be paid att or upon the tenth day of Octob^r next ensueing the date thereof in Tredhaven Creek or in great Choptank riuer att one intire paym^t To the which paym^t well & truely to be made he did binde himselfe his heyres Ex^rs & Adm^rs firmly by those p^rsents. Notwithstanding which the said Jeremiah Eaton in his life tyme nor the said Mary Eaton to whom Execution of the testam^t of the said Jeremiah since his death hath bin com̃itted though often thereunto required the said fiue thousand Eight hundred Seventy foure pounds of tobacco hath not paid nor rendred unto the said Edward Roe in his life tyme nor unto The said Mary Roe since his death to whom Execution of the Testam^t of him the said Edward hath bin com̃itted, but the same to pay hitherto hath denyed & still doth deny, whereupon the said Mary Roe saith she is damnified & hath losse to the Value of Eight thousand pounds of tobacco & thereupon she bringeth her suite And the said Mary Roe to shew that she is Exec^x of the last Will & testam^t of the said Edward Roe & thereof hath the Execution, her Letters Testamentory bringeth into Court here p. 866

And the said Mary Eaton by Kenelm Cheseldyn her Attorney comes & defends the force & injury when &c and prayeth hearing of

Liber N N the writeing aforesaid & itt is read unto her. she also prayeth hearing of the Condicōn of the said writeing & itt is read unto her in these words following The Condicōn of this Obligacōn is such, that if the above bounden Jeremiah Eaton & John Barke or either of them their heyres Exec^{rs} Adm^{rs} or assignes shall well & truely pay or cause to be paid unto the abovesaid Edward Roe his heyres Ex^{rs} Adm^{rs} or assignes or lawfull Attorney the full & just Sum̄e of Two Thousand Eight hundred ninety & two pounds of good sound M^{r}chantable tobacco & cask according to the late Act of Assembly att or upon the tenth day of October next ensueing the date hereof att an entire paym^{t} in Tredhaven Creeke or in some convenient place in great Choptanck river Then this Obligacōn to be Void otherwise to stand in full force and verture As wittnes our hands & Seales the day & yeare above written Which words being read & heard the said Mary Eaton by her Attorney aforesaid saith, that the said Mary Roe her action aforesaid against her the said Mary Eaton ought not to haue, for that she saith that she the said Mary Eaton hath fully Administred all & singuler the Goods & Chattels of the said Jeremiah Eaton before notice of the writt now depending against her of the said Mary Roe, & this she is ready to averr, & craves Judgem^{t} of the Court whether the said Mary Roe her action aforesaid against her the said Mary Eaton ought to have, whereupon day is giuen to both parties untill next Provintiall Court

Now here att this day to witt the Sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679. cometh as well the said Mary Roe as the said Mary Eaton by their Attorneys aforesaid And the said Mary Eaton saith nothing in barr of the action of the said Mary Roe, whereupon the said Mary Roe remaineth against the said Mary Eaton thereof undefended Therefore itt is considered that the said Mary Roe recover against the said Mary Eaton Exec^{x} as aforesaid as well the sum̄e of fiue thousand Eight hundred Seventy foure pounds of tobacco debt As also Five hundred Eighty Eight pounds of tobacco cost of suite And the Defend^{t} in mercy &c

Edward Man ag^{t} John Quigley } John Quigley late of St Maryes County gent$\bar{l}$ was Attached to Answer unto Edward Man M^{r}chant in a plea of trespas upon the case

And whereupon the said Edward by Wm Crosse his Attorney complaineth that whereas the said John Quigley the
p. 867 fourth Day of August Anno Doni One thousand six hundred seventy five bought had & received of him the said Edward divers Goods & M^{r}chandizes And upon that accompt together with Custome house Charge Carriage & other Charges incident thereunto, the said John Quigley stood justly indebted unto the said Edward the Sum̄e of twenty foure thousand Eight hundred eighty two pounds of

tobacco And being so indebted the said Edward the Sum̃e of twenty foure thousand Eight hundred Eighty two pounds of tobacco And being so indebted the said John Quigley did assume upon himselfe & to the said Edward faithfully promise that he the said John the said Sum̃e of twenty foure thousand Eight hundred Eighty two pounds of tobacco to him the said Edward when thereunto required would well & truly content & pay Notwithstanding which the said Edward his promise & assumption so as aforesaid made not reguarding, but deviseing & craftily intending him the said Edward of the said Sume of twenty foure thousand Eight hundred Eighty two pounds of tobacco to deceive & defraud, the said Sum̃e of twenty foure thousand Eight hundred Eighty two pounds of tobacco to him the said Edward hath not paid though often thereunto required but the same to pay hath denyed & as yet doth deny whereupon he saith he hath losse & is damnified to the Value of fforty thousand pounds of tobacco, & thereupon he brings his suite Liber N N

And the said John Quigley by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court, & itt is granted unto him, the same day is given to the plaintiffe also.

Att which said next Provinciall Court to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678 came as well the said Edward Mann as the said John Quigley by their Attorneys aforesaid And the said John by his said Attorney saith that he did not assume & promise in m̃anner & forme as the said Edward above against him hath declared And of this he putts himselfe upon the Countrey And the p^{ft} also. Therefore itt was Comanded the Sheriffe of St Maryes County that he cause to come here twelve &c by whom &c and who neither &c to Recognize &c, because as well &c On which said thirteenth day of March in the yeare aforesaid came as well the said p^{ft} as the said Defend^{t} by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt Gilbert Turberfield, Leonard Green, Stephen Murty, Wm Thomas, Wm Watson, Thomas Jones, John Glover, Robert Bryan, George Godfrey, Theophil Turford, Edward Turner & David Driver who being Elected tryed & sworne to say the truth in the p^{r}misses upon their Oaths doe say that the said John Quigley did assume and promise in manner & forme as the said Edward above agst Him hath declared And they p. 868 assesse the damãge of the said Edward to fiue thousand one hundred thirty & five pounds of tobacco whereupon the said John Quigley by his Attorney aforesaid moved the Court in Arrest of judgm^{t} upon the Verdict aforesaid And day was thereupon giuen unto the said John Quigley to putt in his reasons for Arresting the same untill next Provintiall Court, the same day is giuen to the p^{ft} also

Liber N N Now here at this day to witt the Seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 came as well the said p^{ltt} as the said Defend^{t} by their Attorneys aforesaid And the said Defend^{t} by his said Attorney putt in his reason for the Arrest of judgm^{t} which are as followes Viz^{t}

The p^{ltt} declares agst the Defend^{t} for that he the fourth day of August One thousand six hundred Seventy five bought had & received of him the said Edward divers Goods & M^{r}chandizes, & upon that accompt together with Custome house Charge Carriage & other Charges incident thereunto the said John Quigley stood justly indebted to the said Edward the sum̃e of twenty foure thousand Eight hundred Eighty & two pounds of tobacco And being so indebted the said John Quigley did assume &c and for want of performing that assumpsit say they are damnified forty thousand pounds of tobacco. The Defend^{t} pleads he did not assume, & upon that plea, issue being taken by the plaintiffe, the cause comes to tryall

The p^{ltt} produces an accompt of Goods delivered & sould to Quigley in April One thousand six hundred seventy five for three thousand foure hundred forty two pounds of tobacco which can have no relation to the declaration for Goods, sould the fourth of August. In the same account he also charges him for Goods sould & delivered the fourth of August one thousand six hundred Seventy five for Fifteene thousand six hundred & Eighteen pounds of tobacco which in the whole makes Nineteen thousand & Sixty pounds of tobacco And in the same account giues him Creditt for thirteen thousand nine hundred twenty fiue pounds of tobacco So that by that account Quigley was indebted to Man five thousand One hundred thirty fiue pounds of tobacco, but yet never proved by the Oath of Man or his bookekeeper or any other person, so could be no evidence to the jury, yet the jury haue found for the p^{ltt} fiue thousand One hundred thirty fiue pounds of tobacco.

The judgm^{t} ought to be Arrested

1st Because the said account was never proved to the Court, & the jury was sworne to try the issue joyned according to their evidence, & they found that Verdict without any evidence att all, which is Error

2dly Because the account & the declaracõn doe not agree, which declaracõn mencõns twenty foure thousand Eight hundred Eighty two pounds of tobacco in Goods sould the fourth of August. Whereas by the account exhibitted by the p^{ltt} to make good the said declaracõn, three thousand foure hundred forty two pounds of tobacco part of it is said in the said account to be sould & deliuered
p. 869 the April before The said fourth of August One thousand six hundred Seventy five, which is Error

3dly The declaration & the account does not agree, nor judgment cannot thereon be given by the Court upon the Verdict of the jury aforesaid, for that the p^{ltts} account to maintain his declaracõn afore-

said amounts to in the whole but the Sum̃e of Nineteen thousand & Sixty pounds of tobacco, Whereas the declaration is for twenty foure thousand Eight hundred eighty & two pounds of tobacco, which account ought to haue agreed with the said declaracōn And to have showne to the Court how the same twenty foure thousand Eight hundred Eighty & two pounds of tobacco came due to the said p^{ltt} And what Goods they were he sould to the said Defend^{t} y^{t} amounted unto the said Sum̃e of twenty foure thousand Eight hundred Eighty & two pounds of tobacco the said 4th of August One thousand six hundred seventy five Liber N N

The said Defend^{t} for the Errors aforesaid desires that judgm^{t} of this Court upon the Verdict aforesaid against this Defend^{t} may be stopped & Arrested. Which being read & heard, the p^{ltt} by his Attorney aforesaid saith nothing why judgm^{t} upon the Verdict aforesaid should not be Arrested Therefore itt is considered that judgm^{t} upon the Verdict of ye jurors aforesaid be stopped & Arrested And that the said John Quigley goe thereof without day

Mary Warde Ex^{x}
Matthew Warde
ag^{t}
Tho: Pattison

Thomas Pattison late of Dorchister County otherwise called Thomas Pattison of Dorchister County was Sum̃oned to Answer unto Mary Warde Exec^{x} of the last Will and testam^{t} of Matthew Warde of a plea that he render unto her the sum̃e of Eight hundred pounds of tobacco which from her he unjustly detaineth

And whereupon the said Mary Warde by Robert Carvile her Attorney saith, that whereas the said Thomas Pattison upon the seventh day of Decemb^{r} Annoq; Doni One thousand six hundred Seventy six, by his certaine bill or writeing obligatory Sealed with the Seale of him the said Thomas Pattison & here in Court produced whose date is the day & yeare above written, did confesse himselfe to owe & stand firmly indebted unto the said Matthew Warde in the full & just Sum̃e of Eight hundred pounds of tobacco & caske upon demand in some convenient place in Chester river in the County of Talbot Yet notwithstandinging the said Thomas the said Sum̃e of Eight hundred pounds of tobacco to the said Matthew in his life tyme or to the said Mary Warde since his death though often thereunto requested hath not paid or satisfied but the same to pay & satisfie hath hitherto denyed & still doth deny & refuse to the damāge of the said Mary Eight hundred pounds of tobacco & thereupon she bringeth her suit And she bringeth here into Court the Letters testamentory, by which itt may appeare to the Court here that she is Exec^{x} & hath Admcōn &c

And the said Thomas Pattison by Charles Boteler his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court, & itt is granted p. 870
unto him, the same day is given to the p^{ltt} also

Liber N N

Att which said next Provinciall Court to witt the fourteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Dni 1678. came the said Mary Warde by her Attorney aforesaid & offered herselfe against the said Thomas Pattison in the plea aforesaid, but the said Thomas came not, neither did he putt in any plea to the p^{ltts} declaracōn, whereupon the said Mary Warde remaineth ag^{t} the said Tho: Pattison thereof wholy undefended And the said Thomas Pattison by his Attorney aforesaid moved the Court in Arrest of judgm^{t} day was thereupon given unto the said Tho: Pattison to putt in his reasons for Arresting the same untill next Provinciall Court, the same day is given to the p^{lt} also

Now here att this day to witt the Seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679. came as well the said p^{lt} as the said Defend^{t} by their Attorneys aforesaid And the said Defend^{t} by his said Attorney putt in his reasons for the Arrest of judgm^{t} aforesaid which followeth in these words Viz^{t}

For that att a Sessions of Assembly begun & holden att the City of St Maryes upon the ffifteenth day of May in the first yeare of the Dominion of the right Honble Charles Lord & Prop^{ry} of this Province & continued by divers Prorogations untill the twentieth day of October in the third yeare of the Dominion of the same Charles Annoq̃ Doni 1678. was made & continued a certaine Act of Assembly entituled an Act for Easement of the Inhabitants of this Province in suites att Law for small debts, wherein amongst other things itt was Established Ordained & Enacted, That no action for booke debt or upon a plaine bill for or under the Sume of ffifteen hundred pounds of tobacco & caske shall be com̄enced or prosecuted against any Inhabitant of this Province in the Provinciall Court of this Province Except only upon Appeales from the County Courts of this Province And the Attorneys of the Provintiall Court & County Courts for their ffees only And for that the action by the aforesaid p^{lt} against the aforesaid Defend^{t} brought it upon a plaine bill under the Sum̄e of ffifteen hundred pounds of tobacco & not for Attorneys ffees, Therefore judgm^{t} ought not to be entred upon the same in this Court contrary to the Act aforesaid. Which being read & heard the plaintiffe by her Attorney aforesaid saith nothing in barr why judgm^{t} should not be Arrested. Therefore itt is considered that judgem^{t} upon the action aforesaid be stopped & Arrested And that the said Thomas Pattison goe thereof without day

John Body ag^{t} John Quigley	The Defend^{ts} by Robert Ridgely their Attorney appear & imparle untill next Court
Richard Draper ag^{t} Wm Crosse	

Cuninghams Ex^{rs} ag^{t} Marg^{t} Hall Ex^{x} Walter Hall } Comand was given to the Sheriffe of St Maryes County, that by good & lawfull men of his bailywick he make known unto Margarett Hall Exec^{x} of the last will & testam^{t} of Walter Hall deceased that she be & appeare here the fourth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1678. to shew cause (if any she haue) why execution should not issue forth upon a judgem^{t} for Six thousand Seven hundred Sixty two pounds of tobacco debt together with five hundred forty foure pounds of tobacco costs of suite obtained against the said Walter Hall the nineteenth day of ffebruary Annoq̃ Doni 1677. by Thomas Carlisle & John Watson Exec^{rs} of the last Will & testam^{t} of John Cuningham deceased. On which said fourth day of March the same Sheriffe made returne of the writt aforesaid, that in the p^{r}sence of Edward Ward, Henry ffox & Wm Coulverhouse he had made known unto the aforesaid Margarett Hall as by the same Writt he was comanded. Liber N N p. 871

And the said Margarett Hall by Robert Ridgely her Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provincial Court & itt is granted unto her, the same day is given to the p^{lt} also

Now here att this day to witt the Sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679. came as well the said p^{lts} as the said Defend^{t} by their Attorneys aforesaid, And the said Defend^{t} by her said Attorney saith, that Execution against the Goods & Chattles of the said Walter Hall in her hands remaining ought not to issue, because she saith, that the said judgm^{t} against the said Walter Hall in his life tyme was obtained by Thomas Carlisle & John Watson as Exec^{rs} of the last Will & testam^{t} of John Cuningham deceased, whereas William Hatton & Robert Graham were also Exec^{rs} of the last Will and testam^{t} of the last Will & testam^{t} of the said John Cuningham deceased And no Execution against the Goods of the said Walter in the hands of the said Margarett ought to issue att the suite of the Execrs of the said Cuningham, unless all the Exec^{rs} are made parties to the suite And the said Margarett saith that the said Wm Hatton & Robert Graham Exec^{rs} aforesaid att the tyme of the obtaining of the judgm^{t} were & still are aliue And this she is ready to averr, & therefore demands judgm^{t} of the said Thomas & John as Exec^{rs} of the said Cuningham Execution as aforesaid ought to have.

And the said Thomas & John say, that they ought not to be debarred from haueing Execution aforesaid, for that they say, that the matter above in barr pleaded by the said Margarett is matter accruing before the said judgment by consent of the said Walter confessing the said judgment in his life tyme, whereby all advantage of Error is taken away, & this they are ready to averr, & craves judgm^{t} of the Court, & the said Margarett likewise And hereupon

Liber N N p. 872

ye p^r misses being seen & by the Justices here fully understood, itt seemeth To the same Justices here, that the said plea of the said Defend^t in manner & forme aforesaid pleaded, & the matter in the same contained are insufficient in Law to barr the p^ffs from haveing their Execution upon the judgem^t aforesaid Therefore itt is considered that the said Thomas Carlisle & John Watson Exec^rs as aforesaid haue Execution against the Estate of the aforesaid Walter Hall of the debt & costs aforesaid And also pounds of tobacco costs of suite sithence laid out & expended And the Defend^t in mercy &c.

Richard Marsham &
Geo: Lingam Ex^rs
Cha: Gosfright
ag^t
Michael Taney

the same
ag^t
the same

the same
ag^t
the same

the same
ag^t
the same

the same
ag^t
John Darnall

Tho: Groves
ag^t
Richd Marsham &
Geo: Lingam Ex^rs
Cha: Gosfright

Samuel Lane
ag^t
the same

James Mills
ag^t
Enoch Bolton

These Eight actions are continued untill next Court

Miles Gray
ag^t
Gerard Slye Ad^r
Richd Chillman

the same
ag^t
the same

Unlesse the Defend^t appeare next Court, George Thompson one of the Coroners of s^t Maryes County amerced

Roberts Ellys ag Gerard Slye Ad^r Richard Chillman } Comand was given to the Sheriffe of s^t Maryes County, that by good & lawfull men of his bailywick he make known unto Gerard Slye Adm^r of the Goods & Chattels of Richard Chillman deceased that he be & appeare here the third day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679. to shew cause (if any he have) why Execution should not issue forth upon a judgem^t for two thousand two hundred pounds of tobacco debt & five hundred fifty two pounds of tobacco costs of suite obtained ag^t the said Richard Chillman in his life tyme the Eighteenth day of June last past by Robert Ellys, On which said third day of June the same Sheriffe made returne of the writt aforesaid, that by Vertue thereof before John Llewellin Wm Ninsinger & Zachariah Thompson good & lawfull men of his bailywick, he had made knowne unto the said Gerard Slye that he be & appeare as by the same writt he was comanded. Liber N N p. 873

Afterwards to witt the fifth day of June in the yeare aforesaid came the aforesaid Robert Ellys by Robert Carvile his Attorney And prayeth Execution of the debt & costs aforesaid And the said Gerard although so warned being solemnly called came not but made default Therefore itt is considered that the said Robert Ellys haue Execution ag^t the Estate of the said Richard Chillman for the debt & costs aforesaid And also fiue hundred twenty Eight pounds of tobacco costs of suite sithence laid out & expended.

June 5th 1679

Then was Thomas Burford gent^l Sworne one of the Attorneys of this Court

Robert Ridgely ag^t James Derumple
John & Thomas Dudlestone ag^t Tho: Tasker & ux: Ad^x Jno Brooke the same ag^t Theophilus Turford
George Abbot ag^t Charles James
Robert Carvile ag^t Richard Perry
} The Defend^ts by Christopher Rousby their Attorney appeare & imparle untill next Court

Liber N N p. 874

John Wynn ag^{t} Jane W^{ms} Adm^{x} Wm Williams } Jane Williams late of St Maryes County Exec^{x} of the last Will & testam^{t} of William Williams deceased was Attached to Answer unto John Wynn in a plea of trespas upon the case

And whereupon the said John by Kenelm Cheseldyn his Attorney complaineth, that whereas the said Wm Williams in his life tyme to witt the fifth day of July in the yeare of our Lord One thousand six hundred Seventy eight did languish of divers & severall distempers of body, to witt of a certaine distemper called a feavour or a seasoning As also of a fracture in the skull by a fall from of a horse And the said John haveing for severall yeares past in this Province as also att this p^{r}sent tyme used to practise Phisick & Chirurgery with good successe, the said William Williams in consideracõn that the said John Wynn would then Administer unto him the said Wm Williams such Medicines & meanes as he the said John Wynn in the best of his skill & judgm^{t} thought most proper for the recovering of him the said W^{m} out of the said distempers he then languished of as aforesaid, the said William Williams did assume upon himselfe & to the said John did faithfully promise, that he the said William would satisfie & pay unto the said John for all such medicines & meanes as he should Administer unto him the said W^{m} dureing the tyme he should so languish of the distempers aforesaid And also for his tyme & trouble spent in visitts of him the said W^{m} dureing the tyme aforesaid what for the same he should deserve As also for some other Medicines & meanes which the said W^{m} before that tyme had & received of him the said John would satisfie & pay to the said John also for the same what he should deserve And the said John in fact saith that he the said John dureing the tyme of the said Wm Williams languishing of the distempers aforesaid, he the said John did Administer unto him the said W^{m} such Medicines & meanes as in the best of his judgem^{t} he though most fitt & proper for the recovering the said W^{m} out of the distempers aforesaid And also gave attendance on him as farr as was necessary & convenient, for which & for the Phisick which before that tyme the said Wm Williams had & receiued of him he did well deserve the Sum̃e of two thousand nine hundred & Seventy p̃ds of tobacco, a particuler of all which Medicines meanes & attendance dureing the tyme of the said W^{m} languishing as aforesaid, as also the other medicines & meanes which before that tyme he had & received of the said John Wynn is here in Court produced Notwithstanding which the said Wm Williams in the life tyme of him the said W^{m} the said sum̃e of two thousand nine hundred and Seventy pounds of tobacco according to his promise hath not paid nor she said Jane Williams since his death Ex^{x} of the last Will & testm^{t} of him the said W^{m} but the same to pay hitherto hath & still denyes to pay to the dam̃age of him the said John the Sum̃e of foure thousand pounds of tobacco & thereupon he brings his suite.

And the said Jane Williams by Nehemiah Blakiston his Attorney doth come & defend the force and injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto her, the same day is given to the p^{ft} also Liber N N p. 875

Now here att this day to witt the Seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679 cometh the said John Wynn by his Attorney aforesaid & offereth himselfe against the said Jane Williams in the plea aforesaid, but the said Jane came not but made default Therefore itt is considered that the said John Wynn recover against the said Jane Williams Exec^{x} as aforesaid as well the Sum̃e of two thousand nine hundred & Seventy pounds of tobacco dam̃ages occasioned by the p^{r}misses As also pounds of tobacco costs of suite And the Defend^{t} in mercy &c

Samuell Heron ag^{t} Margar^{t} Rochford Ex^{x} Mich^{l} Rochford — This action abates, the Defend^{t} being intermarryd with Wm Cole

Jacob Leisler ag^{t} Marke Cordea; Nicholas Hacket ag^{t} Mary Roe; Marmaduke Boudler ag^{t} Samuell Tovey; John Penroy ag^{t} Tho: Jones — The Defend^{ts} by Robert Carvile their Attorny appeare & imparle untill next Court

Cuthbert Scott ag^{t} Jno Barnes — The Defend^{t} by Kenelm Cheseldyn his Attorney appeares & imparles untill next Court

Robert Carvile ag^{t} James Lewis; Vincent Lowe Esqr ag^{t} John Quigley — The Defend^{ts} by Robert Ridgely their Attorney appeare & imparle untill next Court

Charles Ascomb ag^{t} Wm Boarman — This action is discontinued p. 876

Liber N N

Humphry Davenport ag^t Tho: Hathud & ux: } This action is agreed

Richard Walker ag^t John Shancks
the same ag^t Tho: Lomax
Tho: Tailor ag^t Jno Rawlings
} These three causes being upon writts of Errors are continued untill next Court

John Staynes ag^t Ann Jones } This cause being upon an Appeale from Calvert County Court, & the Appellant by George Parker his Attorney being ready to prosecute the same, but the Defend^t not appearing, this cause is continued untill next Court

George Robins ag^t Robert Bryan } Robert Bryan was Attached to Answer unto George Robins in a plea of trespas Assault & battery And the said Robert Bryan by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c And the said George Robins although solemnly called came not to preferre his declaration & prosecute his writt against the said Robert Bryan Therefore itt is considered by the Court here this day to witt the Sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 that the said George Robins take nothing by his writt, but be in mercy for his false claime And that the said Robert Bryan recover against the said George Robins the Sum̃e of Eight hundred fifty fiue pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said Robert Bryan may haue thereof Execution

George Robins ag^t Robert Bryan } Robert Bryan was Attached to Answer unto George Robins in a plea of trespas upon the case And the said Robert Bryan by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c And the said George Robins although solemnly called came not to preferre his declaracõn & prosecute his writt against the said Robert Bryan Therefore itt is considered by the Court here
p. 877 this day to witt the Sixth day of June in The fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679, that the said George Robins take nothing by his writt, but be in mercy

for his false claime And that the said Robert Bryan recover against the said George Robins the Sum̃e of Eight hundred fifty fiue pounds of tobacco for his costs & Charges by him about his defence in this behalfe laid out & expended And the said Robert Bryan may haue thereof Execution Liber N N

John Sanders ag^{t} Tho: Helgar } this action is continued untill next Court

Gerard Slye ag^{t} Tho: Helgar } This action is continued untill next Court

Richard Johns ag^{t} James Harrison } The Defend^{t} by Charles Boteler his Attorney appes & imparles untill next Court

Benja Nesham ag^{t} Wm Layton } In Ejectm^{t} Robert Ridgely Lessor And in the same cause itt was ordered by the consent of Christopher Rousby Attorney for the plaintiffe & Kenelme Cheseldyn Attorney for Wm Layton, that the said Wm Layton should be admitted Defend^{t} And that he forthwith appeare & receive a declaracõn & plead to itt the Gen^{ll} issue And att the tryall to be thereupon had, the said Wm Layton shall appeare in his proper person or by his Attorney & shall confesse Lease Entry & Ejectm^{t} Or that in default thereof judgem^{t} shall be entred against the said Defend^{t} Richard Smithson the casuall Ejector. But all further prosecution against him shall cease untill the said Wm Layton shall make default in any of the p^{r}misses. And itt is further ordered by the Court by the consent aforesaid, that the said Wm Layton shall not take any advantage against the plaintiffe for not prosecuting upon the tryall occasioned by such default, but that the said Wm Layton shall pay to the plaintiffe the costs by this Court to be taxed in this cause And itt is further ordered that the Lessor to the plaintiffe shall be charged with the paym^{t} of the costs to the Defend^{t} if any be adjudged to him

Christopher Aglionby ag^{t} Jno Blomfield } In Ejectm^{t} John Addison & Rebeccah his wife Ex^{x} of Thomas Dent Lessors And in the same cause itt was ordered by the consent of Robert Ridgely Attorney for the plaintiffe & the Defend^{t} one of the Attorneys of this Court, that the said John Blomfield should be admitted Defend^{t} And that he forthwith appeare & receive a declaracõn & plead to itt the generall issue And att the tryall to be thereupon had the said John Blomfield

Liber N N p. 878

shall appeare in his proper Person or by his Attorney & shall confesse Lease Entry & Ejectm^{t} or that in default thereof judgm^{t} shall be entred against the said Defend^{t} Samuell White the casuall Ejector. But all further prosecution against him shall cease untill the said John Blomfield shall make default in any of the p^{r}misses And itt is further ordered by the Court by the consent aforesaid, that the said John Blomfield shall not take any advantage against the plaintiffe for not prosecuteing upon the tryall occasioned by such default, but that the said John Blomfield shall pay to the plaintiffe the costs by this Court to be taxed in this cause And itt is further ordered that the lessors to the plaintiffe shall be charged with the paym^{t} of the costs to the Defend^{t} if any be adjudged to him

Wm Sparkes ag^{t} Philip Lynes } In Ejectm^{t} Henry Hardy Lessor

And in the same cause itt was ordered by the consent of Robert Ridgely Attorney for the plaintiffe & Christopher Rousby Attorney for Philip Lynes, that the said Philip Lynes should be admitted Defend^{t} And that he forthwith appeare & receiue a declaracōn & plead to itt the generall issue And att the tryall to be thereupon had, the said Philip Lynes shall appeare in his proper person or by his Attorney & shall confesse Lease Entry & Ejectm^{t} or that in default thereof judgm^{t} shall be entred against the said Defend^{t} Wm Harbort the casuall Ejector, but all further prosecution against him shall cease untill the said Philip Lynes shall make default in any of the p^{r}misses And itt is further ordered by the Court by the consent aforesaid, that the said Philip Lynes shall not take any advantage against the plaintiffe for not prosecuteing upon the tryall occasioned by such default But that the said Philip Lynes shall pay to the plaintiffe the costs by this Court to be taxed in this cause And itt is further ordered that the Lessor to the plaintiffe shall be charged with the paym^{t} of the costs to the Defend^{t} if any be adjudged to him

Thomas Brite ag^{t} Thomas Marsh } In Ejectm^{t} John Mitchell Lessor

And in the same cause itt was ordered by the consent of Robert Ridgely Attorney for the plaintiffe & Robert Carvile Attorney for Thomas Marsh, that the said Tho: Marsh should be admitted Defend^{t} And that he forthwith appeare & receive a declaracōn & plead to itt the generall issue And att the tryall to be thereupon had the said Thomas Marsh shall appeare in his proper person or by his Attorney & shall confesse Lease Entry & Ejectm^{t} or that in default thereof judgm^{t} shall be entred against the said Defend^{t} Matthew Earickson the casuall Ejector, but all further prosecution against him shall cease untill the said Thomas Marsh shall make default in any of the p^{r}misses And itt is further ordered by the Court by the consent

aforesaid, that the said Thomas Marsh shall not take any advantage against the plaintiffe for not prosecuteing upon the tryall occasioned by such default But that the said Thomas Marsh shall pay to the plaintiffe the costs by this Court to be taxed in this cause And itt is further ordered that the Lessor to the plaintiffe shall be charged with the paym^{t} of the costs to the Defend^{t} if any be adjudged to him

Liber N N p. 879

Ken: Cheseldyn ag^{t} Gerard Slye } In Ejectm^{t} Thomas Lomax Lessor And in the same cause itt was ordered by the consent of Nehemiah Blakiston Attorney for the plaintiffe and Christopher Rousby Attorney for Gerard Slye, that the said Gerard Slye should be admitted Defend^{t} And that he forthwith appeare & receive a Declaracōn & plead to itt the Generall issue. And att the tryall to be thereupo^{n} had, the said Gerard Slye shall appeare in his proper person or by his Attorney, & shall confesse Lease Entry & Ejectm^{t} or that in default thereof judgment shall be entred against the said Defend^{t} John Bell the casuall Ejector, But all further prosecution agst him shall cease untill the said Gerard Slye shall make default in any of the p^{r}misses And itt is further ordered by the Court by the consent aforesaid, that the said Gerard Slye shall not take any advantage against the plaintiffe for not prosecuteing upon the tryall occasioned by such default, but that the said Gerard Slye shall pay to the plaintiffe the Costs by this Court to be taxed in this cause And itt is further ordered that the Lessor to the plaintiffe shall be charged with the paym^{t} of the costs to the defend^{t} if any be adjudged to him

James Chilcott ag^{t} George Parker } This action in Ejectm^{t} is continued untill next Court

Wm Planner ag^{t} Amos Parsons } This cause being upon a writt of Error, ye Defend^{t} appeares by Robert Ridgely his Attorney & imparles untill next Court

Nehemiah Blakiston ag^{t} Wm Roswell } This action is continued untill next Court

Richard Edelen ag^{t} Henry Bennett } The Sheriffe of Ann Arundell County haveing returned in this cause that the Defend^{t} is not to be found within his bailywick, the plaintiffe by Robert Ridgely his Attorny prayed an Attachm^{t} against the Goods & Chattles of the said Defend^{t} according to Act of Assembly in that case made & provided, & itt is granted unto him by the Court here

Liber N N p. 880

John Bearcroft ag^{t} Wm Wells — The Sheriffe of Charles County haueing returned a Cepi in these actions, the p^{ltis} by Kenelm Cheseldyn their Attorney move the Court for speciall baile, whereupon itt is Ordered that the Defend^{t} remaine in the custody of ye Sheriffe of the said County, untill he shall giue speciall baile to Answer the p^{ltis} actions & abide judgem^{t}

Abra^{m} Blagg ag^{t} the same

John Barnes ag^{t} Marke Cordea Ad^{r} Saml Brockust — The Defend^{t} by Robert Ridgely his Attorney appeares & imparles untill next Court

Edward Ball ag^{t} Bernard Johnson — The Sheriffe of Calvert County haveing returned a Cepi Corpus upon a capias ad satisfaciendum for two thousand five hundred pounds of tobacco damages recovered ag^{t} him by Edward Ball Lessee of Joseph Letchworth, & haveing the body of the said Bernard in Court And that the said Bernard Johnson might be discharged from the said Execution, Came Liev^{t} Colonell Henry Darnall in his proper person & did consent that judgem^{t} should passe against him for the aforesaid Sume of two thousand fiiue hundred pounds of tobacco. Whereupon the said Bernard Johnson was discharged from the said Execution

June 4th 1679

Ordered by the Court, that the Comission^{rs} of Calvert County Court doe without delay transmitt unto his Lordpp & Councell a faire transcript of their last yeares County Leavy

Robert Carvile ag^{t} Gerard Slye Adm^{r} Richard Chilman

Philip Siveret ag^{t} the same

Marmaduke Semme ag^{t} the same

— Unlesse the Defend^{t} appeares next Court, Richard Gardner one of the Coroners of St Maryes County amerced.

John Peirce ag^{t} John Wade & Edward Morgan — This action abates, the p^{lt} being dead

Liber N N

Tho: Tailor Esqr ag^{t} Josias Lentham & Ja Balderstone Ad^{rs} Jno Desiardins	The Defend^{ts} by Robert Ridgely their Attorney appeare & imparle untill next Court

p. 881

Nehemiah Blakiston ag^{t} Thomas Ceely — Comānd was given to the Sheriffe of St Maryes County that he should Attach any the Goods or Chattles of Thomas Ceely if they should be found in his bailywick to the Value of foure thousand pounds of tobacco And also itt was further comanded the same Sheriffe, that he should Attach any the Goods or Chattles of the aforesaid Thomas Ceely if they should be found in his bailywick to the value of two thousand Six hundred Sixty seven pounds of tobacco And when he had the same so Attached or any part thereof the same in his custody to keepe untill the said Thomas Ceely should by himselfe or his Attorney appeare here the third day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679. to Answer unto Nehemia[h] Blakiston gentl in two actions of a plea of trespasse upon the case on which said third day of June in the yeare aforesaid the same Sheriffe maketh returne of the writts aforesaid, that he hath Attached in the hands of James Johnson bills to the Value of ffoure thousand pounds of tobacco, & two thousand six hundred sixty seven pounds of tobacco Whereupon the said Nehemiah Blakiston prayed that the bills so Attached as aforesaid might be condemned unto him, & itt is granted by the Court here, the said Nehemiah Blakiston giueing security according to Act of Assembly in that case made & provided.

Afterwards to witt the fifth day of June in the yeare aforesaid came the said Nehemiah Blakiston with Henry Bonner & Richard Edelen his security, who undertooke for the said Nehemiah in the Sum̃e of Six thousand six hundred Sixty seven pounds of tobacco to indempnifie this Court for granting the Attachm^{ts} aforesaid And to make restitucōn of the said bills or of the Value thereof to the said Thomas Ceely In case the said Thomas shall appeare in his proper person or by his Attorney within One yeare & a day, & make his just defence to & proceed on in the said actions in com̃on forme And make itt appeare that the said Nehemiah Blakiston is satisfied his just demands or any part thereof according to the true intent & meaning of a certaine Act of Assembly in that case made & prouided

Benj^{a} Rozer Esqr ag^{t} John Quigley	The Defend^{t} by Robert Ridgely his Attorney appeares & imparles untill next Court

Liber N N

John Beaman ag^t Philip Lynes	These two actions are Agreed
Robert Carvile ag^t James Derumple	

p. 88a

Lord Prop^ry ag^t Tho: Pattison	These foure actions are agreed
Wm Calvert Esqr ag^t the Same	
the Same ag^t Tho: Guilbert	
Gerard Slye ag^t Tho: Reynolds & Tho: Lomax	

Wm Calvert Esqr ag^t John Brooke Ad^r Wm Worgan	This action is withdrawn by the p^lt

Wm Calvert Esqr ag^t John Rawlings	The Defend^ts by Robert Ridgely their Attorney appeare and imparle until next Court.
Archibold Arthur ag^t Josias Lenham & Ja: Balderstone Adm^rs John Desiardins	
John Owen ag^t the same	
John Peirce Ex^r John Peirce ag^t Edwd Maddox & ux	
the same ag^t the same	
Robert Toate ag^t Wm Roswell	

Liber N N

Benj^a Rozer Esqr
ag^t
John Quigley
Tho: Jones
ag^t
John Penroy

p. 883

Michael Taney
ag^t
Geo: Lingam &
Richard Marsham
Ex^rs Cha: Gosfright
the Same
ag^t
the Same
John England
ag^t
Gerard Slye

The Defend^ts by Christopher Rousby their Attorney appeare & imparle untill next Court

Theophilus Turford
ag^t
Christopher Hassell

The Defend^t by George Parker his Attorney appeares & imparles until next Court

Nehemiah Blakiston
ag^t
Wm Goddard

The Sheriffe of St Maryes County haveing returned in this cause, that the Defend^t is not to be found within his bailywicke, the plaintiffe (one of the Attorneys of this Court) in his proper person prayed an Attachm^t against the Goods & Chattles of the said Defend^t according to Act of Assembly in that case made & provided, & itt is granted unto him by the Court here

John Quigley
ag^t
Joseph Eaton
the same
ag^t
the same

The Sheriffe of Calvert County haueing returned in these two actions, that the Defend^t is not to be found within his bailywick, the plaintiffe by Robert Ridgely his Attorney prayed Attachments ag^t the Goods & Chattles of the said Defend^t according to Act of Assembly in that case made & provided, & itt is granted unto him by the Court here

Tho: Carlisle, W^m
Watson & als Ex^rs
Cuningham
ag^t
John Addison Ex^r
Nicholas Proddy

The Defend^t by Robert Ridgely his Attorney appeares & imparles untill next Court

Liber N N Hugh Reynolds ag^{t} Eliz^{a} Potter } Comand was giuen to the Sheriffe of St Maryes County, that by good & lawfull men of his bailywick he make known unto Elizabeth Potter widdow that she be & appeare here the third day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679. to shew cause (if any she haue) why Execution should not issue forth upon a judgm^{t} obtained against her by Hugh Reynolds the fifth day of Octob^{r} Anno Doni 1677, for three thousand three hundred thirty five pounds of tobacco debt & five hundred thirty & six pounds of tobacco costs of Suite On which said third
p. 884 day of June the same Sheriffe made Returne of the writt aforesaid, that by Solomon Jones & John Biscoe good & lawfull men of his bailywick he had made known unto the said Eliz^{a} Potter to be and appeare as by the same writt he was comanded.

Afterwards to witt the fifth day of June in the yeare aforesaid came the said Hugh Reynolds by Kenelm Cheseldyn his Attorney and prayeth his Execution of the debt & costs aforesaid And the said Elizabeth in her proper person likewise came And saith nothing to p^{r}clude the said Hugh Reynolds from his said Execution, Therefore itt is considered that the said Hugh Reynolds have his Execucon against the said Elizabeth Potter of the debt & costs aforesaid And also pounds of tobacco costs of suite sithence laid out & expended

Geo: Lingam & Richard Marsham Ex^{rs} Charles Gosfright ag^{t} Michael Taney } The Defend^{t} by Charles Boteler his Attorney appeares & imparles until next Court

George Yate Adm^{r} Robert Wilson ag^{t} Wm Cromwell } Comand was given to the Sheriffe of Baltemore County that he Repleive & cause to be delivered unto George Yate Adm^{r} of the Goods & Chattles of Robert Wilson deceased one gray Gelding which Wm Cromwell tooke & unjustly detaines as itt is said, And that he putt by surety & safe pledge the aforesaid Wm Cromwell that he be & appeare here the third day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679 to answer the aforesaid George Yate of a plea of takeing & unjustly detaining of the Gelding aforesaid. On which said third day of June in the yeare aforesaid the same Sheriffe made returne of the writt aforesaid that the said Wm Cromwell is not to be found in his bailywick but absconds himselfe, & hath conveyed away the gray gelding that he could not Repleive the same. Whereupon the said George Yate by George Parker his Attorney prayed a withernam against the said Wm Cromwell & itt is granted unto him by the Court here

Liber N N

Mary Clements Ad^{x}
Jno Clements
ag^{t}
Wm Crosse
} The Defend^{t} by Robert Ridgely his Attorney appeares & imparles untill next Court

Lord Prop^{ry}
ag^{t}
John Longden
} Comand was given to the Sheriffe of Som^{r}sett County, that he should Attach any the Goods or Chattles of John Longden if they should be found in his bailywick to the Value of thirty three pounds nine shillings sterling And when he had the same so Attached or any part thereof the same in his custody to keep, untill the said John Longden should by himselfe or his Attorney appeare here the third day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679 to Answer unto Robert Ridgely gent^{l} one of the Attorneys of this Court who for the said Lord Prop^{ry} in this behalfe Prosecuteth in a plea of trespas upon the case p. 885
On which said third day of June in the yeare aforesaid the same Sheriffe made returne of the writt afforesaid, that by vertue thereof he hath Attached all the Goods & Chattles in his bailywick belonging to the said John Longden which he hath caused to be valued & appraised by John Osborne & Stephen Horsey good & lawfull men of his bailywick, who Appraise the same att Seventeen pounds fiue shillings & Eight pence A Schedule of which is annexed to the said writt under the hands of the said Appraisers, other Goods & Chattles of the said John Longden he could not finde in his bailywick

An Inventory of what Goods was showed to us as we were appointed by Cap Thomas Walker & Sworne Appraisers by Colonell Wm Coleborne, which said Goods was shewed as belonging to Mr John Longden Marriner of Hull in England this 23th of May 1679.

	℔	s	d
86$^{℔}$ of Iron worke for a Sloope att 3^{d} p ℔	1=	2=	6
The Hull or frame of said Sloope as she now stands, with riseings knees & Ruther with beames	8=	0=	0
An old topsayle 72. yds att	1=	16=	0
An old rope 42$^{℔}$	0=	7=	0
One quoile of new rope 59$^{℔}$	0=	14=	0
One peice of a hawser q^{t} 220$^{℔}$ att	1=	16=	0
Six Single Clocks, one double	0=	5=	0
A peice of old rope 12$^{℔}$	0=	2=	0
9 planke .24. foote & ½ p peice 220 foote .6. ditto 126. foote att 1^{d} ½ p foote	2=	3=	2
One third of a hogshead of Pitch	1=	0=	0
As wittnes our hands as Appraisers	17=	05=	08

Liber N N Which being read & heard the Goods abouesaid are condemned to his Lordpp according to Act of Assembly } John Osborne, Stephen Horsey

Maryland April the 6th Anō D. 1678

Mr Robert Bloome Tenn dayes after sight of this my first bill of Exchange, the second third nor fourth not paid, pay unto the Right Honble Charles Lord Baltemore or his order the Sume of Twenty five pds two shillings & foure pence, itt being for imposition and port charges, & place itt to the Accompt of yor friend & servant John Longden To Mr Robert Bloome Mrchant in London

By this publick Instrumt of Protest be itt knowne and manifest unto all those who shall see these prsents or heare the same read That on this day the twentieth of the Month of Septembr Anno Dni 1678. & in the thirtieth yeare of the reigne of our sovereigne Lord King Charles the second over England &c att the instance & request of the right Honble Charles Lord Baltemore I Anthony Wright Notary & Tabellion publick dwelling in London aforesaid by authority of his said Matie admitted & sworne, demanded of Mr Robert Bloome of London Mrchant if he would pay the Originall bill of Exchange
p. 886 (whereof the copy is herebefore written Word for word) whereupon he Answered that he would not pay the said bill, by reason he oweth the drawer thereof nothing. Upon which Answer I the said Notary (att the request aforesaid haue Protested & by these prsents doe solemnly Protest as well against John Longden drawer of the said bill of Exchange as against all others whom itt doth or may concerne for Change & rechange, together with all costs damages & interests allready suffered & sustained & to be suffered & sustained for want of payment of the said bill of Exchange thus done & Protested in London aforesaid in the prsence of Henry ffrog & Lawrence Cresse Witnesses hereunto required. Quod subsigno & salito tabellionatus sigillo attestor rogatus

(locus sigillo) Ant: Wright Nots Pubcus
Sep: 20: 1:a 1678

Edward Bleeke & Compa agt Edward Gunnell } Edward Gunnell late of Baltemore County gentl was Sumoned to Answer unto Edward Bleeke & Compa Mrchants in London of a plea that he render unto them his reasonable accompt of the tyme he was Receiver of the Goods Mrchandizes & tobaccoes of them the said Edward & Compa & which to them to make justly he ought

And whereupon the said Edward & Compa by Robert Ridgely their Attorney say, that whereas the aforesaid Edward was Receiver of the Goods Mrchandizes & tobaccoes of them the said Edward & Compa in the said Province of Maryland from the ffifteenth day of September One thousand six hundred Seventy five untill the twen-

tieth day of Octob^r One thousand six hundred Seventy Eight And by the same tyme received of the Goods & M^rchandizes of the said Edward & Comp^a that is to say att Severne River in the said Province by the hands of James Connoway Comander of the Shipp Virginia ffactor of London five hundred & Eighteene pounds fourteene shillings & foure pence currant money of England And also by the hands of John Boddy Comander of the Cecilius of London att Severne River aforesaid tenn pounds sterling money of England Also by the hands of Joseph Seares late of Baltemore County M^rchant Seaventeene pounds sixteene shillings & two pence lawfull money of England Also by the hands of Daniel Bird Marryner twenty three pounds of lawfull money of England As also by the hands of the said Joseph Seares the quantity of twenty nine thousand foure hundred forty fiue pounds of tobacco which in the whole amounts to the sume of ffive hundred Sixty nine pounds tenn shillings & five pence & twenty nine thousand foure hundred forty five pounds of tobacco to render a reasonable accompt thereof to the said Edward & Comp^a when he should be thereunto required Nevertheless the said Edward although often required hath not yet rendred his reasonable accompt aforesaid to the said Edward & Comp^a but hitherto hath denyed & yet Doth deny to render unto them the same Whereupon they say they are damnified & have losse to the Value of Seven hundred pounds sterling & thereupon they bring their suite. Liber N N p. 887

And the said Edward Gunnell by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and saith that he cannot deny the aforesaid action of the aforesaid plaintiffes, neither but that he was Receiver of the Goods M^rchandizes & tobacco aforesaid of the same plaintiffes by the tyme aforesaid in the forme in which the said plaintiffes have above declared against him And further the said Defend^t saith that he is ready to accompt thereof Therefore itt is considered by the Court here this day to witt the fifth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679 that the aforesaid Defend^t accompt with the said plaintiffes of the Goods M^rchandizes & tobacco aforesaid of the same plaintiffes by tyme aforesaid received in the forme in which the plaintiffes have above declared against him And hereupon John Waterton & John Stansby of Baltemore County gent^l in the p^rsence of the same Defend^t are assigned Auditors by the Court here to heare the said accompt. Which said Auditors have given day to the parties aforesaid before them att Baltemore County aforesaid on the first day of July next comeing & so from day to day untill the said accompt shall be fully stated audited & determined So as they make their report thereof to the Justices of the same Court to be held att the City of St Maryes the seventh day of Octob^r next being the first day of the next Provincial Court

Liber N N Mr Robert Ridgely

Sr This may advise you that we have indifferently Elected Capt John Waterton & Capt John Stansby to be Auditors between us, to Audite all the Accompts on behalfe of the Compa Itt is our desire to you that you will please to gett the Court to Confirme them as aforesaid, which is all from Sr yors &c under our hands & Seales this 22th of May 1679. Miles Gibson (sealed)
Edwd Gunnell (sealed)

To Mr Robert Ridgely one of the
Attorneys att St Maryes

Maryland ss

Whereas I Edward Gunnell of Baltemore County Mrchant am impleaded in the Provinciall Court of this Province by Edward Bleeke & Compa Mrchants of London of a plea that I render unto them my reasonable accompt of the tyme I was Receiver of the Goods Mrchandizes & tobaccoes of them the said Edward & Compa & which to them to make justly I ought And for that I allwayes was & still am ready to passe my said accompt with the said Edward & Compa doe therefore hereby authorize & impower you Kenelm Cheseldyn
p. 888 Esqr to be my Attorney in the said cause, And to take copy of the Declaration against me, & to acknowledge the action by giveing judgmt to accompt And so in getting Auditors appointed for the examining & stateing my said accompt And for your proceedings hereing this shall be yor sufficient warrant Wittnes my hand & Seale the twenty sixth of March 1679.

Sealed & delivered in prsence of Edward Gunnell (sealed)
Nic: Painter John Peerce:

To Kenelm Cheseldyn Esqr Attorney Genll
of Maryland, or in case of his death
(which God forbid) to Charles Boteler
Gentl one of the Attorneys of the
Provintiall Court

Henry Brayne agt Justinian Gerard } Justinian Gerard late of the County of St Maryes Mrchant was Sumoned to Answer unto Henry Brayne of a plea that he render unto him the said Henry his reasonable accompt of the tyme in which he was the receiver of the Goods of him the said Henry to Mrchandize & render an accompt thereof

And whereupon the said Henry by Christopher Rousby his Attorney saith, that whereas the said Justinian from the twentieth day of April in the yeare of our Lord One thousand six hundred Seventy foure untill the first day of October One thousand six hundred Seventy Eight was the Receiver of the Goods of him the said Henry, that is to say att Bromley in the County of St Maryes by the hands of the same Henry foure hogsheads & two barrells of Mus-

cavado Suger a parcell of Ginger, twenty foure paire of mens & womens worsted & wooling stockings of sorts, two barrells of rum & a parcell of lyme juice in caske of the Value of twenty five thousand three hundred pd̄s of tobacco to M^r^chandize for the profitt of him the said Henry & to render a reasonable accompt thereof when thereunto required Neverthelesse the said Justinian though often thereunto required hath not rendred his reasonable accompt aforesaid unto the said Henry, but hitherto hath denyed & still doth deny to render the same, whereupon he saith he is the worse & hath losse to the Value of thirty thousands pd̄s of tobacco & thereupon he brings his suite Liber N N

And the said Justinian Gerard by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the p^lt^ also.

Now here att this day to witt the sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̧ Doni 1679. cometh as well the Said Henry Brayne as the said Justinian Gerard by their Attorneys aforesaid And the said Justinian by his said Attorney saith, that the said Henry his action aforesaid against him the said Justinian ought not to have, for that he saith, that he the said Justinian allwayes was & still is ready to accompt with him the said Henry & craves judgm^t^ whether his action aforesaid ought to have. Therefore itt is considered that the said Justinian Gerard accompt with the said Henry Brayne of the Goods aforesaid of the same plaintiffe by the tyme aforesaid received in the forme in which the p^lt^ hath above declared against him And hereupon John LLewellin & Thomas Lomax of St Maryes County gentl̄ in the p^r^sence of the Defend^ts^ Attorney aforesaid are assigned Auditors by the Court here to heare the said Accompt So as they make their report thereof to the Justices of the same Court to be held att the City of St. Maryes the seventh day of Octob^r^ next being the first day of the next Provinciall Court p. 889

Edwd Turner ag^t^ Cartwrights Ex^rs^ } Symon Edwards & Susanna his wife Ex^x^ of the last Will & testam^t^ of Demetrius Cartwright late of Calvert County deceased was Aattached to Answer unto Edward Turner of a plea of trespas upon the case.

And whereupon the said Edward Turner by Charles Boteler his Attorney complaineth, that whereas the said Demetrius Cartwright in his life tyme vizt upon the twenty ninth day of Novemb^r^ Annoq̧ Doni One thousand six hundred Seventy five in consideracōn of the severall Goods and and M^r^chandizes bought had & received of him the said Edward Turner amounting in the whole to the Sum̄e of two thousand nine hundred & fifteen pounds of tobacco an accompt whereof is here in Court produced, did assume upon himselfe & to

Liber N N the said Edward did faithfully promise that he the said Demetrius the said Sum̃e of two thousand nine hundred & fifteen pounds of tobacco when thereunto required would well & truely content & pay And the said Edward in fact saith, that trusting to the faithfull promise of him the said Demetrius made as aforesaid did Sell and deliver unto him the said Demetrius severall Goods and M^r^chandizes amounting in the whole to the Sum̃e of two thousand nine hundred & fifteen pounds of tobacco a particuler whereof is hereunto annexed Yet the said Demetrius Cartwright the said Sum̃e of two thousand nine hundred & fifteen pounds of tobacco in his life tyme hath not paid, nor the said Susanna to whom Administracōn of all & singuler the Goods Chattells rights & creditts of the said Demetrius att the tyme of his death since his death hath bin com̃itted while she was
p. 890 sole, nor the said Susanna & Symon since espousall Between them celebrated, the said two thousand nine hundred & fifteen pounds of tobacco hath not paid, but the same to pay hitherto hath denyed & still doth deny, whereupon the said Edward Turner saith he is damnified & hath losse to the Value of foure thousand pounds of tobacco & thereupon he brings his suite

And the said Symon & Susannah by George Parker their Attorney come & defend the force & injury when &c & pray liberty to imparle hereunto untill next Provinciall Court & itt is granted unto them, the same day is given to the p^lt^ also

Now here att this day to witt the sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 cometh as well the said plaintiffe as the said Defend^ts^ by their Attorneys aforesaid And the said Defend^ts^ by their said Attorney say, that the said Edward his action aforesaid against them ought not to haue, for that they say, that whereas by an Act of Assembly made att a Gen^ll^ Assembly begun & held att the City of St Maryes the day of April in the yeare of our Lord God one thousand six hundred Sixty & nine & by severall subsequent Acts revived & continued & now standing in force entituled an Act for lymitacoñ of certaine actions for the avoiding suites att Law, itt is amongst other things Enacted, that all actions of trespas, quare clausum fregit, all actions of trespas detinue sur trover & replevin for takeing away Goods & Chattles, all actions of accompt contract booke debt & upon the case, other then such actions as concerne the trade of M^r^chandizes between M^r^chant & M^r^chant their ffactors & Servants which are not resident within this Province, all actions of debt for lending or contract without specialty, all actions of debt for arrearages of rent, all actions of Assault menace battery wounding & false imprisonm^t^ or any of them which shall be sued or brought by any person or persons within this Province att any tyme after the end of this p^r^sent Gen^ll^ Assembly shall be com̃enced & sued within the tyme & lymitation hereafter expressed & not after, that is to say the said actions of the case other then for slander &c and the said

actions for accompt, & the said actions for trespasse debt detinue & replevin for Goods & Chattles, & the said actions of trespas quare clausum fregit within two yeares after the end of that p^r^sent Gen^ll^ Assembly, or within two yeares after the cause of such actions & not after, as by the said Act relation being thereunto had may more att large appeare And itt appearing by the said Edward own shewing in & by his declaracōn that the debt or duty by the said Edward in & by the said declaracōn claymed is above three yeares standing, the said Symon & Susanna his wife therefore plead the said Act of Assembly in barr of the said plaintiffes action aforesaid And demands judgm^t^ if the said Edward his action aforesaid against them ought to have &c Which being read & heard the p^lt^ By his Attorney aforesaid refused to make any further prosecution against the Defend^ts^ in the plea aforesaid Therefore itt is considered that the said Edward Turner take nothing by his writt but be in mercy for his false clayme And that the said Symon & Susannah goe thereof without day And that the said Symon Edwards & Susannah his wife Exec^x^ as aforesaid recover against the said Edward Turner the sum̄e of pounds of tobacco for their costs & charges by them about their defence in this behalfe laid out and expended And that the said Edward be taken &c

Liber N N

p. 891

Richard Johns ag^t^ Abr^a^ Clarke & ux: } Abraham Clarke late of the Clifts in Calvert County planter & Elizabeth his wife was Attached to Answer unto Richard Johns in a plea of trespas upon the case

And whereupon the said Richard Johns by George Parker his Attorney complaineth, that whereas the said Richard Johns was possessed of a certaine boate containing by the Keele ffifteen foote or thereabouts to the Value of ffifteen hundred pounds of tobacco lying safe & secure above high water marke att the landing place of the said Richard Johns next the bay side called Chessepiake bay att the Clifts in Calvert County as of his own boate, & being thereof so possessed, the said Elizabeth Clarke the wife of the said Abraham Clarke together in company with Edward Gough and Robert Barker endeavouring the said Richard Johns in this behalfe of the said boate wholy to deceive & spoile, afterwards to witt the first day of January in the yeare of our Lord God One thousand six hundred Seventy & six att the landing aforesaid where the said boate lay safe & secure in forme aforesaid voluntarily & malitiously did lanch the said boate into the water of the said bay, that the said boate did floate in the said water, & by Violence the said boate was driven & taken away, whereby the said Richard Johns wholy lost the said boate, to the great damāge of the said Richard Johns, whereupon he saith he is damnified & hath losse to the Value of three thousand pounds of tobacco, & thereupon he bringeth his suite

Liber N N And the said Abraham Clarke by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the plaintiffe likewise

Now here att this day to witt the Seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 cometh as well the said plaintiffe as the said Defend^{t} by their Attorneys aforesaid And the said Abraham by his said Attorney saith, that the declaration aforesaid in manner & forme aforesaid declared against him the said Abraham & the matters therein
p. 892 contained Are insufficient in the Law to maintain the aforesaid Action of the said Richard Johns against the said Abraham, & to the same the said Abraham saith he needeth not nor by the Law of the land is bound to Answer, but to the same Demurreth in Law, & for causes of Demurrer according to the forme of the Statute in that case provided sheweth, that the said declaration is Vitious in that the p^{lt} declares against the Defend^{t} in a plea of trespas upon the case, whereas in the body of the said declaracõn he only layes a trespas, for that for the lanching of his boat voluntarily & maliciously by which he hath lost her as in his declaracõn he hath sett forth, no other action lyeth but an Action of trespas And the same ought to be laid to be done with force & armes &c and contrary to the peace &c And the said declaracoñ is vitious also in this, in that he layes the trespas to be done by the wife of the said Defend^{t} & others, & yet never alleadgeth that by the same action hath accrued to him to recover & have of the said Abraham his damãges &c And this he is ready to Verifie, whereupon for want of a sufficient declaracon in this behalfe, the said Abraham prayeth judgm^{t} and that the said Richard from haveing his said action against him thereof may be barred And the said Richard Johns saith, that he by any thing before alleadged ought not to be debarred from haveing his action aforesaid because he saith that the declaracoñ against him the said Abraham & the matters therein contained are sufficient in Law to maintaine the aforesaid action of the aforesaid Richard Johns against the said Abraham And this he is ready to averr, whereupon he prayeth judgm^{t} & the Value of the aforesaid boat & his damãges by reason of the p^{r}misses And hereupon the p^{r}misses being seen & by the Court here fully understood, itt seemeth to the same Justices here the declaration aforesaid of the said Richard in forme aforesaid made & declared & the matter in the same contained are sufficient in Law to maintaine him the said Richard to have his action aforesaid against the said Abraham Therefore itt is considered that the said Richard Johns recover against the said Abraham Clarke the Sum̃e of fffteen hundred pounds of tobacco damãges occasioned by the p^{r}misses As also Eight hundred Eighty six p̃ds of tobacco costs of suite And the Defend^{t} in mercy &c

June 4th 1679 Liber N N

Allowed unto Wm Hemsley of Talbot County for comeing goeing & attendance to testifie for Richard Royston against Symon Irons three hundred pds of tobacco

June 5th 1679.

Ordered by the Court, that Thomas Sprigg satisfie & pay unto Thomas Truman the sume of ffive thousand six hundred seventy five pounds of tobacco for his expences & costs as well att comon Law as in Chancery upon certaine matters of controversy lately depending in the aforesaid Courts betweene the said Tho: Sprigg & the said Tho: Truman & Nathl Truman deceased to whom the said Thomas is Execr

June 6th 1679 p. 893

Allowed unto Theophilus Turford, Wm Turner, Andrew Dickison & Wm Howes of Calvert County for comeing goeing & attendance to testifie for Morgan Jones against Nicholas ffurnes & Charles Bathurst two hundred & seventy pounds of tobacco each of them

Allowed unto Giles Collyer of St Maryes County for comeing goeing & attendance to testifie for Mary Pope agt Philip Lynes two hundred & Seventy pounds of tobacco

Allowed unto Margarett Catterton of Calvert County for comeing goeing & attendance to testifie for Tho: Hagelton a Negro agt Tho: Truman two hundred & Seventy pounds of tobacco

June 5th 1679

Ordered by the Court, that Execution issue forth upon the judgemt obtained by the right Honble Charles Lord Baltemore against Arthur Carleton Admr of the Goods & Chattles of Thomas Carleton deceased, Charles James & Tho: Todd Execr of the last Will & testamt of Thomas Todd deceased upon the forfeiture of the bond of Administracon & against every one of them.

June 6th 1679

Robert Ridgely one of the Attorneys of this Court acknowledged satisfaction to two judgmts obtained by him against Arthur Carleton Admr of the Goods & Chattles of Thomas Carleton deceased, one for foure hundred pounds of tobacco damages & the other for twelve pounds sterlt debt together with three pounds twelve shillings sterl damages with costs of suite

June 6th 1679

Robert Carvile one of the Attorneys of this Court acknowledg'd satisfaction to a judgemt obtained by him against Arthur Carleton Admr of the Goods & Chattles of Thomas Carleton deceased, the

Liber N N thirteenth day of April Anno 1676 for the sume of Eight hundred pounds of tobaccc debt with costs of suite

Att a Provinciall Court held att the City of Saint Maryes the seventh day of October in the fourth yeare of the Dominion of the right Honble Charles Lord Baltemore &c Annoq̃ Doni One thousand six hundred Seventy nine and there continued untill the Sixteenth day of the same Month, on which said Seventh day of Octob^r^ were p^r^sent.

Philip Calvert Esqr Chancelour
Wm Calvert Esqr Princ^ll^ Secry
Vincent Lowe Esqr Survey^r^ Gen^ll^
Lievten^t^ Co^l^ Henry Darnall
Nic: Painter C^l^

Then was Co^l^ Wm Stevens sworne one of the Justices of this Court

p. 894 Octob^r^ 7th 1679

Then was Thomas Grunwin gent^l^ sworne his Lordshipps Sollicitor Gen^ll^

Thomas Hagelton ag^t^ Tho: Truman
Edward Man ag^t^ John Atkey
Garrat VSweringen Ad^r^ John Deery ag^t^ John Quigley
the same ag^t^ the same
James Lewis ag^t^ Miles Grey
Garrat VSweringen ag^t^ John Quigley
Mary Roe Ex^x^ Edward Roe ag^t^ Nicholas Hacket

These fourteen actions are continued untill next Court

Liber N N

Garrat VSweringen ag^t John Quigley
John Sanders ag^t Tho: Helgar
Gerard Slye ag^t Tho: Helgar
Edward Leach ag^t Robert Murphy
Vincent Lowe Esqr ag^t John Quigley
ffrancis Hill ag^t Mary Tilghman
John England ag^t Gerard Slye

p. 895

Thomas Marsh ag^t Stephen Burle Ex^rs Robt Burle } This action abates, the p^lt being dead

John Darnall ag^t Wm Harris } The plaintiffe haveing formerly Attached in the Def^ts hands foure thousand pounds of tobacco due from him unto Jarvis Ballard Itt is thereupon this day to witt the ffifteenth day of Octob^r in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq; Doni 1679 Ordered by the Court, that unlesse the Defend^t make his personall appearance here att the next Provintiall Court to make Oath what & how much he is indebted unto the said Jarvis Ballard, that then & upon default thereof the aforesaid Sum̃e of ffoure thousand pounds of tobacco so Attached as aforesaid, to be condemned unto the plaintiffe

Henry Stocket & Ja: Stavely Ex^rs Styles ag^t Hen: Johnson & ux: Adm Utye } Henry Johnson & Eliz^a his wife Adm^x of the Goods & Chattles of Nathaniel Utie deceased were Attached to Answer unto Henry Stocket & James Stavely Ex^rs of the last Will & testament of Nathaniel Stiles deceased of a plea of trespas of the case

And whereupon the said Henry & James by Robert Carvile their Attorney say, that whereas the said Nathaniel Utie

Liber N N upon the fifteenth day of May in the yeare of our Lord One thousand six hundred Seventy five stood justly indebted to the said Nathaniel Styles for divers Goods & M^r^chandizes to him sold & delivered amounting in the whole to the Sum̃e of Eight thousand five hundred Eighty & Six pounds of tobacco as by a particuler account thereof hereunto annexed may appeare, Of which said Sum̃e of Eight thousand five hundred Eighty six pounds of tobacco the said Nathan^l^ Styles in his life tyme received of the said Nathaniel Utie in his life tyme the sum̃e of Eleven hundred forty two pounds of tobacco, so that there rested due on the ballance of the said account the sum̃e of seven thousand foure hundred forty foure pounds of tobacco as by the said account may also appeare In consideracōn whereof the said Nathaniel Utie did assume upon himselfe & to the said Nathaniel Styles did faithfully promise, that he the said Nathaniel Utye the said Sum̃e of seven thousand foure hundred forty foure pounds of tobacco to him the said Nathaniel Styles would well & truely content & pay when he should be thereunto requested Yet notw^th^standing the said Nathaniel Utye his promise & assumpcōn aforesaid little reguarding, but deviseing & fraudulently intending him the said Nathaniel Styles in this behalfe craftily & subtily to defraud & deceive, the said Sum̃e of Seven thousand foure hundred forty & foure pounds of tobacco in his life tyme nor the said Elizabeth since his death in her widdowhood, nor the said Henry or Elizabeth since their intermarriage the said Sum̃e of
p. 896 Seven thousand ffoure hundred forty & foure pounds of tobacco to him the said Nathaniel Styles in his life tyme nor to the said Henry Stocket & James Stavely since his death though often thereunto requested have not paid or satisfied, but the same to pay & satisfie have altogether denyed & refused & still doe deny & refuse to pay the same to the dam̃age of the said Henry & James tenn thousand pounds of tobacco & thereupon they bring their suite.

And the said Henry Johnson & Elizabeth his wife by Robert Ridgely their Attorney come & defend the force & injury when &c and pray liberty to imparle hereunto untill next Provintiall Court & itt is granted unto them the same day is given to the plaintiffes likewise.

Now here att this day to witt the tenth day of October in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679. came as well the said p^lts^ as the said Defend^ts^ by their Attorneys aforesaid, And the said Defend^ts^ by their said Attorney say, that they the said Henry & Elizabeth for or by reason of anything above by the said plaintiffes in manner & forme aforesaid alleadged they have no need nor by the Law of the land are bound to Answer And for reasons according to the forme of the Statute in that case provided & made They say that the said plantiffes in the declaracōn aforesaid Entitle themselves to sue & bring the action above-

said against them the said Henry & Elizabeth as Ex^{rs} of the last Will & testament of Nathaniel Styles [*sic*] deceased, but doe not expresse by whom the letters testamentory of the testament of the said Nathaniel was so granted, nor doe they shew forth the said letters testamentory under the Seale of the Judge Comissary or Officer for probate of Wills &c in this Province, whereby itt may appeare to the Court here that the said plaintiffes are in truth Exec^{rs} of the last Will & testament of the said Nathaniel Styles deceased, and right have to sue & bring the action aforesaid, and this they are ready to verifie, & pray judgment of the Court whether they shall be compelled to make any other or further Answer hereunto And the plaintiffes also And hereupon the p^{r}misses being seen & by the Justices here fully understood, itt seemeth to the Justices here that the Declaracōn of the aforesaid plaintiffes is insufficient in Law to maintaine them the said p^{lts} to have their said action against the said Defend^{ts} Therefore itt is considered that the said p^{lts} take nothing by their writt but be in mercy for their false plaint And that the Defend^{ts} goe thereof without day. Liber N N

Richard Draper ag^{t} Wm Crosse } This action is continued untill next Court

Roger Baker ag^{t} Margar^{t} Gittings Ex^{x} Jno Gittings } Margarett Gittings late of Calvert County widdow Ex^{x} of the last Will & testament of John Gittings deceased was Attached to Answer unto Roger Baker in a plea of trespas upon the case p. 897

And whereupon the said Roger by Christopher Rousby his Attorney complaineth, that whereas the said John Gittings in his life tyme to witt upon the third day of May One thousand six hundred Seventy five by a certaine writeing of receipt under his hand & Seale here in Court produced whose date is the day & yeare aforesaid, did acknowledge to have received of the said Roger Baker certaine bills in a list mencōned thereunto annexed amounting unto thirty Eight thousand foure hundred forty & eight pounds of tobacco, which said tobacco he the said John did engage thereby to doe his uttmost endeavoure to receive for the use of the said Roger And to be accomptable for the same, & render the same tobacco when thereunto required to the said Roger, or returne the bills in kinde Yet nevertheles as to nine hundred & thirty pounds of tobacco in the said list mencōned, & six hundred Sixty & six pounds of tobacco allowed by this Court for costs of suite for recovery of the said nine hundred & thirty pounds of tobacco due from George Robotham of Talbot County unto the said Roger, And also two thousand two hundred pounds of tobacco part of two thousand six hundred sixty & five pounds of tobacco in the said list mencōned

Liber N N due from John Atkey & Henry Mitchell unto the said Roger he the said John in his life tyme or the said Margarett Exec^x of the last Will & testam^t of the said John since his decease unto the said Roger have not paid, nor the bills or specialtyes in kinde to him the said Roger returned though often thereunto required, but the nine hundred & thirty pounds of tobacco, & the said six hundred Sixty & six pounds of tobacco, & likewise the said two thousand six hundred sixty & five pounds of tobacco to pay hath refused & still doth refuse, whereupon the said Roger saith he is damnified & hath losse to the Value of five thousand five hundred pounds of tobacco & thereupon he brings his suite

And the said Margarett by Robert Carvile her Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto her, the same day is giuen to the plaintiffe likewise

Now here att this day to witt the Eighth day of Octob^r in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Doni 1679 came the said plaintiffe by his Attorney aforesaid & offered himselfe against the said Defend^t in the plea aforesaid, but the defend^t came not but made default Therefore itt is considered
p. 898 by the Court Here that the said Roger Baker recover against the said Margarett Gittings Exec^x as aforesaid as well the Sum̃e of three thousand Seven hundred ninety & six pounds of tobacco dam̃ages occasioned by the p^rmisses As also One thousand ninety foure pounds of tobacco cost of Suite And the Defend^t in mercy &c.

John Staynes ag^t Ann Jones } This cause being upon an Appeale from a judgement obtained in Calvert County Court by Ann Jones against John Staynes the third tuesday in June in the third yeare of the Dominion of the right Honble Charles &c the said John Staynes gave Security in the said County Court to prosecute the said Appeale in this Court with Effort, And hath allwayes bin ready by George Parker his Attorney to prosecute the same accordingly. But the said Ann Jones although severall Courts solemnly called came not to defend the same, Whereupon itt is ordered by the Court here this day to witt the Eleventh day of Octob^r In the fourth yeare of the Dominion of the Right Honble Charles Lord Baltemore &c Annoq̃ Dni 1679. that the Recognizance entred into by the said John Staynes & his Suerties for prosecuteing the Appeale aforesaid & the judgm^t aforesaid be & is hereby quashed adnulled & made void.

Wm Doning ag^t John Brooke } John Brooke late of Dorchister County otherwise called John Brooke of Dorchister County in the Province of Maryland Gent̃l was Sum̃oned to Answer unto Wm Doning of the City of Bristoll M^rchant of a plea that he render unto him the full & just Sum̃e of Eighteen thousand

three hundred & seven pounds of good sound M^r^chantable tobacco in caske which to him he oweth & unjustly doth detaine Liber N N

And whereupon the said Wm Doning by Robert Ridgely his Attorney saith, that whereas the said John Brooke upon the fifth day of July Annoq̃ Doni One thousand six hundred Seventy & Eight by his certaine bill or writeing obligatory sealed with the Seale of him the said John & here in Court produced whose date is the day & yeare first above written, did acknowledge himselfe to owe & stand justly indebted unto Wm Doning of the City of Bristoll M^r^chant in the full & just Sum̃e of Eighteen thousand three hundred & Seven pounds of good sound M^r^chantable tobacco in caske to be paid convenient in little Choptank river in the County aforesaid att or before the tenth day of October next ensuing the date thereof to the said Wm Doning his lawfull Attorney his Exec^rs^ Adm^rs^ or assignes To which payment well & truely to be made the said John Brooke did binde himselfe his Exec^rs^ & Adm^rs^ firmly by the said bill Notw^th^standing which the said John Brooke though often thereunto required the said sum̃e of Eighteen thousand three Hundred & Seven p. 899 pounds of tobacco to the said Wm Doning according to the tenour forme & effect of his said bill hath not paid nor satisfied, but the same to pay hitherto hath denyed & still doth deny, whereupon the said Williams Doning saith he is damnified & hath losse to the value of twenty five thousand pounds of tobacco & thereupon he bringeth his suite.

And the said John Brooke by Charles Boteler his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the plaintiffe also

Att which said next Provintiall Court came the said parties by their Attorneys aforesaid And the said John Brooke by his said Attorney saith, that the said Wm Doning his action aforesaid against him the said John Brooke ought not to have, for the said bill or writeing obligatory is not the deed of the said John And of this he putts himselfe upon the Countrey. And the said Wm Doning saith, that he by any thing before alleadged ought not to be barred from haveing his action aforesaid because he saith that the writeing obligatory aforesaid is the Act & deed of the said Defend^t^ And this he prayes may be enquired by the Countrey, whereupon day is given to both parties untill next Provintiall Court.

Now here att this day to witt the Eleventh day of Octob^r^ in the fourth yeare of the Dominion of the Right Honble Charles Lord Baltemore &c Annoq̃ Doni 1679 came as well the said plaintiffe as the said Defend^t^ by their Attorneys aforesaid And the said Defend^t^ by his said Attorney saith, As to three thousand pounds of tobacco part of the debt in the Declaracõn mencõned he hath satisfied & paid unto the said Wm Doning And as to fifteen thousand three hundred

Liber N N & Seven pounds of tobacco the remainder of the aforesaid Sume of Eighteeen thousand three hundred & Seven pounds of tobacco he cannot gainsay, for that the same remaines due unto the said Wm Doning upon the bill or writeing obligatory aforesaid Therefore itt is considered that the said Wm Doning recover against the said John Brooke as well the sume of ffifteen thousand three hundred & Seaven pounds of tobacco debt As also One thousand thirty foure pounds of tobacco costs of suite And the Defendt in mercy &c

John Hamilton
agt
John Garnis
Samuel Dobson
agt
the same
James Mills
agt
Enoch Bolton
} These three actions abate, the Defendts being dead

p. 900 John Baker
agt
Michal Miller
John Edmondson
agt
Henry Mitchel
Edward Gibbs
agt
Theophs Turford
Margarett Hall Exx
Walter Hall
agt
Garrat VSweringen
ffrancis Roberts
agt
Edward Gibbs
Malachy Peale
agt
James Tyer
James Chilcott
agt
Geo: Parker
Nehemiah Blakiston
agt
Wm Rosewell
Wm Rosewell
agt
Robert Toate
} These ffifteen actions are agreed

Liber N N

the same
ag^{t}
the same

Robert Ridgely
ag^{t}
James Derumple

John Bearcroft
ag^{t}
Wm Wells

George Abbot
ag^{t}
Charles James

Robert Toate
ag^{t}
Wm Rosewell

Ken: Cheseldyn
ag^{t}
Henry Harris

Samuel Lane
ag^{t}
Gosfrights Ex^{rs}

George Lingam & Richard Marsham late of Calvert County Ex^{rs} of the last Will & testam^{t} of Charles Gosfright deceased was Attached to Answer unto Samuell Lane of a plea of trespas on the case. p. 901

And whereupon the said Samuell Lane by George Parker his Attorney complaineth, that whereas the said Charles Gosfright upon the fourth day of August in the yeare of our Lord God One thousand six hundred Seventy and Eight did languish of sicknes & violent distemper, & the said Samuell being then a doctor of phisick & accustomed to practise phisick within the Province of Maryland In consideracōn that the said Samuell att the special instance & request of him the said Charles would according to the best of his skill & knowledge Administer to him the said Charles such medicines & meanes as was proper & fitt for him the said Charles towards the recov^{r}y of his sicknes & violent distemper, the said Charles did assume upon himselfe & to the said Samuell did faithfully promise, that he the said Charles for the medicines and meanes as also for his tyme & paines in Administring & tending upon him for the same when thereunto required what he the said Samuell should deserve to him the said Samuell would well & truely content & pay And the said Samuell in fact saith that he the said Samuell trusting to the faithfull promise and assumpcōn of him the said Charles, did from the said fourth day of August in the yeare One thousand six hundred Seventy Eight aforesaid att divers dayes and tymes till the sixth day of Septemb^{r} one thousand Six hundred Seventy eight att the speciall instance & request of him the said Charles, did according to the best of his skill & knowledge Administer to him the said

Liber N N Charles all such wholesome proper & fitt medicines & meanes as his disease infirmity & distemper required. Also expended much tyme & paines in severall journeys Administring of meanes & attendance upon him the said Charles, for which he thinkes he well deserves Eight thousand nine hundred & forty pounds of tobacco A particular of all which is here in Court produced amounting to the said Sum̃e of Eight thousand nine hundred & forty pounds Notwithstanding which the said Charles his promise and assumpcõn in that behalfe not reguarding, but endeavouring & fraudulently intending him the said Samuell of the said Sum̃e of Eight thousand nine hundred & forty pounds of tobacco to deceive, the said Eight thousand nine hundred & forty pounds of tobacco to him the said Samuell the said Charles in his life tyme hath not paid according to his promise, nor the said George & Richard to whom Letters testamentory was com̃itted since the death of the said Charles have not yet paid although often there unto required, but the same to pay doe altogether
p. 902 deny whereupon the said Samuell saith he is damnified & Hath losse to the Value of twelve thousand pounds of tobacco & thereupon he bringeth his suite

And whereupon the said George & Richard by Christopher Rousby their Attorney come & defend the force & injury when &c and pray liberty to imparle hereunto untill next Provinciall Court & itt is granted unto them, the same day is given to the plaintiffe also

Now here att this day to witt the Eleventh day of Octob^r in the fourth yeare of the Dominion of the right Honble Charles Lord Baltemore &c Annoq̃ Dni 1679. came the said partyes by their Attorneys aforesaid And the said George & Richard by their said Attorney say, that to the Declaracõn aforesaid in manner and forme as the same is sett forth, they the said Def^ts need not nor are by the Law of the land bound to Answer, & therefore they demurre in Law to the same, And for reason of such Demurrer according to the Statute they say, that the p^ltt in the said Declaracõn as being a Doctor of Phisicke declares against the Defend^ts as Ex^rs of the last Will & testam^t of Charles Gosfright deceased upon a quantum meruit for certaine medicines pretended to be Administred to the said Testator in his life tyme by the said p^ltt And for certaine attendance & visitts, a particular whereof is said in the declaracõn aforesaid to be here in Court produced amounting to Eight thousand nine hundred & forty pounds of tobacco. whereas in truth there is no such particuler produced in Court or annexed unto or filed with the said declaracõn as the same ought to have bin, whereby the Defend^ts might have seen & known what the said pretended particulers were, & how the same were rated, & might have bin thereby enabled to have advised of the particuler Values of the said medicines & to have informed themselves thereof, & of the number of the said pretended visitts & what attendance itt was which is alleadged in the said declaracõn, &

might accordingly haue provided themselves against the tryall with proper & materiall Wittnesses to each point, & might have putt in & filed such plea or pleas to the said particulars or any of them as the said Defend^{ts} should have though fitt & proper, they but being Ex^{rs} as aforesaid, but for want of fileing in Court the said accompt or particuler to which the said Declaracōn doth referr as aforesaid, & which in realty is the most essentiall part of the said declaracōn, the Defend^{ts} aforesaid can in no wise full & cleere answer make to the said Declaracōn. All which the said Defend^{ts} are ready to averr, & crave judgem^{t} & their costs by reason of the p^{r}misses to be adjudged unto them. Liber N N

And the said Samuell Lane by George Parker his Attorney saith, that he by any thing before alleadged ought not to be debarred from haveing his action aforesaid, because he saith that the declaracōn against them the said George & Richard & the matter therein contained are sufficient in Lawe to maintaine the aforesaid action of the aforesaid Samuel Lane against the said George & Richard, & that the particulars mencōned in the Declaracōn amounting to the Sum̃e of Eight thousand nine hundred & forty pounds of tobacco is ready here in Court to be produced according to the Law & Custome of the land in such cases &c And this he is ready to averr, whereupon he prayeth judgm^{t} & the Value of the aforesaid Medicines visitts attendance & his dam̃age by reason of the p^{r}misses to him to be adjudged. p. 903

And the said George & Richard say as formerly, that the said p^{ltts} said Declaracōn in manner & forme aforesaid is insufficient in Law for these Defend^{ts} to answer unto because the said accompt which is the most Essentiall part of the declaracōn, & without which itt is not possible for these Defend^{ts} (being but Ex^{rs}) to know what defence to make, is not annexed to the said declaracōn, & filed in due course of Law And therefore crave judgement of the p^{r}misses &c And the p^{ltt} also Which being read & heard And by the Justices here fully understood, itt seemeth to the same Justices, that the Declaracōn aforesaid is insufficient in Law for the said Defend^{ts} to Answer unto, for that the particulers or accompt is not annexed to the said p^{ltts} Declaracōn Therefore itt is considered that the said Samuel Lane take nothing by his writt but be in mercy for his false plaint thereupon prosecuted And that the said George & Richard goe thereof without day And also that the said George Lingam and Richard Marsham Ex^{rs} as aforesaid recover against the said Samuell Lane the Sume of Seven hundred thirty three pounds of tobacco for their costs & charges by them about their defence in this behalfe laid out & expended And the said Def^{ts} may have thereof Execucōn &c

Tho: Bland
ag^{t}
Edwd Dorsey

Liber N N the same ag^{t} the same
Edwd Dorsey & ux: ag^{t} Tho: Bland & ux:
Tho: Bland ag^{t} Edwd Dorsey
These foure actions are stayed by ord^{r} of Court upon a Decree in Chancery.

John Quigley ag^{t} Marke Cordea
This cause is continued untill next Court

p. 904 Richard Royston ag^{t} Symon Irons
the same ag^{t} the same
the same ag^{t} the same
The Injunction formerly granted in these three causes is dissolved by the Court, & these actions are continued untill next Court

Mr Robert Ridgely

I have received of John Blomfield satisfaction upon the judgem^{t} obtained against him in the Provinciall Court att my suite, Therefore these desireing you to acknowledge satisfaction for the same upon Record for so doeing this shall be yor warrant Wittnes my hand Octob^{r} 13th 1679

Wittnes Jno Marttindall Evan Carew Robert Doelen

Octob^{r} 13th 1679

Satisfaction of the abovesaid judgement was then acknowledged in open Court by Robert Ridgely by vertue of the above warrant of Attorney.

Maryland ss. Septemb^{r} 11th 1679

Then came Elizabeth Potter als Greene & Thomas Potter and ffrancis Corbett & acknowledged judgem^{t} unto Hugh Reynolds for three thousand three hundred thirty five pounds of tobacco debt & five hundred thirty six pounds of tobacco for costs of Suite recovered against her the said Elizabeth Potter als Green by the aforesaid Hugh Reynolds att the Provintiall Court of this Province the fifth day of Octob^{r} Anno Doni One thousand six hundred Seventy seven with cessat Executio untill the tenth day of Octob^{r} next ensuing.

Acknowledged before me the day & yeare first above written Wm Calvert

Memorandum that this day to witt the second day of Septemb^r in the fourth yeare of the Dominion of the right Honble Charles Lord Baltemore &c Annoq̃ Doni 1679 before me Wm Calvert Esqr principall Secretary of this Province & one of the Justices of the Provinciall Court, att my Office in the City of St Maryes personally appeared John Wedge of Kent County taylor Adm^r of all & singuler the Goods Chattles rights & creditts which were of William Chadborne deceased in his proper person, & did consent that judgem^t should passe against him for the Sum̃ of two thousand one hundred forty foure pounds of tobacco att the suite of the said Charles Lord Baltemore Wm Calvert Liber N N

Finis hujus libri

Nic: Painter Ct

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